

Nebraska City  
**A G E N D A**  
**City Council Meeting**  
Aug 1, 2016 - 6:00 p.m.  
**Call to Order**

“I am required by law to inform the public that a copy of the Open Meetings Act is posted on the bulletin board to your right. This meeting is being recorded. If you wish to speak, come to the podium, state your name and address and speak directly towards the microphone the entire time you are addressing the governing body. Thank you”.

1. **PLEDGE OF ALLEGIANCE**
2. **ROLL CALL**

**CONSENT**

3. Approve [minutes](#) from the July 18, 2016 City Council Meeting
4. Accepting the report of new claims against the City and approving disposition of claims set for the period of July 19, 2016 to August 1, 2016
5. [Release of lien](#) for special assessment on Rutledge Parcel at 2411 S 3RD St.

**REPORTS**

6. Acknowledge receipt of [Utility Financial Report](#) for period ending May 2016
7. Acknowledge receipt of [Utility Claims](#) for period ending June 2016

**PUBLIC HEARINGS**

8. [Public Hearing](#) concerning the application of Green Lamb Properties LLC for Economic Development Program Funding (LB840) for site plan, tenant recruitment and retention for development at the VF Mall located at 1101 Highway 2.

**NEW BUSINESS**

9. Discussion on meetings for FY 2016-2017 City Budget planning.
10. Discussion/Action on NCRA vacancies.
11. Discussion regarding Public Works Commissioner Vacancy.
12. Discussion/Action on application of [Green Lamb Properties LLC](#) for Economic Development Program Funding (LB840) for site plan, tenant recruitment and retention for development at the VF Mall located at 1101 Highway 2; **Resolution 2710-16**.
13. Discussion/action to consider purchase offer from Ryan & Heidi McConnell for [lots 1A & 1B](#) of the Deer Trail Subdivision for the building of a private residence.
14. Discussion/Action to approve the [Economic Development Plan](#) and to authorize staff to complete a final document for public hearing on August 15th.
15. Discussion/action to authorize the Mayor to sign the letter of support for the [Partners For Progress](#) effort.
16. **Resolution 2711-16** regarding tree clean-up assessment for 917 3rd Corso Nebraska City, NE 68410 to the amount of \$1,106.47.
17. Discussion/Action to approve professional service agreement for Geotech of Kearney Hill project.

**ADJOURNMENT**

Nebraska City  
 CITY OF NEBRASKA CITY, NEBRASKA  
 MINUTES OF CITY COUNCIL REGULAR MEETING  
 July 18, 2016

Pursuant to due call and notice thereof, a Regular Meeting of the City Council of the City of Nebraska City was conducted in the William F. Davis Room at City Hall, 1409 Central Avenue, on July 18, 2016. Notice of the meeting was given in advance thereof by posting in at least three public places, the designated method for giving notice, as shown by the Certificate of Posting Notice attached to these minutes. Availability of the agenda was communicated in advance to the media, Mayor and Commissioners of this proceeding and said meeting was open to the public.

Mayor Bequette called the meeting to order at 6:00 p.m. The Mayor publicly stated to all in attendance that a current copy of the Nebraska Open Meetings Act was available for review and indicated the location of such copy posted in the room where the meeting was being held. Mayor Bryan Bequette then led in the Pledge of Allegiance. Upon roll call the following answered present: Jeff Crunk, Vic Johns, Gloria Glover and Mayor Bequette. Absent: Jim Stark. The following City Officials were present: City Administrator Grayson Path, City Clerk-Treasurer Randy Dunster, Police Chief Lacy and Construction and Facility Manager Marty Stovall.

Mayor Bequette made the following announcements: the birth of Everett Cade Path, son of our City Administrator Grayson Path and his wife Katie Path. The passing of the retired police K-9 Jordy on June 30, 2016. Jordy began service in February 2010 and was retired Sep 2015 due to an enlarged heart. The graduation of our three new Police Officers, Jerry Shoemaker, Tracy Sachs and Travis Rogman from the Police Academy.

Mayor Bequette moved to approve the following consent items:  
 Approve minutes from the July 18, 2016 City Council Meeting  
 Accepting the report of new claims against the City and approving disposition of claims set for the period of July 19, 2016 to August 1, 2016  
 Motion seconded by Commissioner Johns. Upon roll call the following voted YES: Crunk, Glover, Johns and Mayor Bequette. Voting NO: None. Motion carried

<b>CLAIMS LIST</b>					
July 18, 2016					
Adkins Signs	Rep	416.00	Midwest Farmers Coop	Chem	257.95
Alfred Benesch & Co	Constr	10,748.82	Midwest Serv and Sales	Sup	236.25
Arbor Mart, Inc	Fuel	1,794.68	Mullenax Auto Supply	Sup	82.38
Arbor Outdoor Power	Spark Plug Repl/Supp	49.04	Napa Auto Parts	Maint	215.00
Associated Supply Co.	Chem	3,426.62	Nationwide	Inv	14,374.54
Benefiel Truck Repair	Rep	1,412.13	NC Jaycees	Code	1,912.50
Richard D. Bennett, Jr.	Sup	466.21	NC Newspress	Adv	142.92
Bill Walters & Son	Rep	402.00	NC Rotary Club	Dues	375.00
Bohl P & H	Rep	115.38	NCU	Util	16,025.53
Bound Tree Medical LLC	Sup	1,791.33	NE Environmental Prod	Rep	93.50
Callaway Golf Sales Co	Msde	187.34	Nebraska UC Fund	Unempl	718.00
Capital Business Sys	Contr	152.15	O'Reilly Auto Parts	Sup	53.94
Card Services	Misc.	1,467.91	Omaha Door & Window Co.	Rep	96.75
Casey's General Stores	Fuel	38.54	Otoe County Clerk	Contr	4,423.46
Citizen Printing Co	Sup	85.00	Otoe County Court	Legal	24.00

City Council may hold a closed session by the affirmative vote of a majority of its voting members if a closed session is clearly necessary for the protection of the public interest or for the prevention of needless injury to the reputation of an individual and if such individual has not requested a public meeting. The subject matter and the reason necessitating the closed session shall be identified in the motion to close.

Nebraska City

City of NC Wildwood	Artists	1,248.62	Payroll	Payroll	120,226.70
Concrete Industries, Inc	Sup	637.51	Pesek, M.	Rfnd	200.00
Consolidated Manag. Co.	Training	226.74	PNC Equip	Contr	2,728.00
Danko Emergency Equip	Rep	512.78	Purchase Power	Pstge	402.50
Dia, T.	Fine Arts	500.00	Quality Brands of Linc	Bev	411.90
Douglas Tire Co.	Rep	312.85	Quill Corporation	Sup	137.94
Eakes Office Solutions	Sup	255.78	Rubey, J. & D.	Rfnd	100.00
EMS Billing Services, Inc	Contr	5,615.51	Asboe, R.	Rfnd	29.13
Fareway Stores, Inc.	Conc	655.97	S Systems	Sftwre	124.99
Fastenal Company	Rep	28.22	Schneider Electric	Rep	114.20
Harris Custom Homes	Rfnd	200.00	SEND D	Contr	903.91
Hill Custom Homes	Rfnd	200.00	Shell	Fuel	2,233.62
Hopkins Automotive Inc.	Sup	5.29	The Toolkit Group	Sftwre	301.00
Ideal Pure Water	Sup	215.43	Tielke's Sandwiches	Conc	79.22
JEO Consulting Group, Inc.	Constr	6,580.00	Tyco Integrated Security	Misc.	154.95
Kitchens By Design	Rfnd	200.00	Unifirst Corporation	Contr	106.66
Kreifels Electric L.L.C.	Rep	1,074.31	United Healthcare	Rfnd	602.32
Landis Engine Company	Sup	140.50	Verizon	Tele	14.06
Lant, G.	Rfnd	25.00	Warner, J.	Rfnd	200.00
Matheson Tri-Gas, Inc.	Sup	205.73	Westlake Ace Hardware	Sup	279.36
MD Aquatics, LLP	Chem	1,178.00	Windstream, Inc.	Tele	1,531.89
Mead Lumber	Sup	17.63	Zach Lyon Creative	Misc.	2,475.00
Mercer's Do-It-Best	Sup	298.98			

Mayor Bequette called for the consent of the council to appoint Christopher Fletcher to the Library Board. Chris is a City resident and also the IT Chief for Nebraska City Public Schools. He is filling the vacancy left by Bonnie Goodman who served on the Library Board faithfully for several terms. Upon roll call the following voted YES: Johns, Crunk, Glover, and Mayor Bequette. Voting NO: None. Motion carried.

Treasurer's report was given, as of June 30, 2016, Total Nebraska City funds of \$9,075,010.38. Total Cash and Reserve for Nebraska City Utilities of \$15,874,862.61. Total City of Nebraska City and Utility funds \$24,949,872.99.

Council acknowledged receipt of City Administrator Report. Grayson Path spoke regarding his report.

Mayor Bequette moved for announcement of vacancy of the office of Public Works Commissioner effective July 11, 2016. Upon roll call the following voted YES: Crunk, Glover, Johns and Mayor Bequette. Voting NO: None. Motion carried.

Commissioner Stark's resignation letter is as follows:

July 11, 2016

Dear Mayor, City Commissioners, Board of Public Works, NCRA Board and Nebraska City Constituents,

I am writing, regretfully, to announce my resignation as Public Works Commissioner. Xanterra, the company that brought my family and I to Nebraska City in 1993, has offered me a position as Director of Engineering at Yellowstone National Park. I will be starting by the end of this month, thus my resignation must be effective immediately.

City Council may hold a closed session by the affirmative vote of a majority of its voting members if a closed session is clearly necessary for the protection of the public interest or for the prevention of needless injury to the reputation of an individual and if such individual has not requested a public meeting. The subject matter and the reason necessitating the closed session shall be identified in the motion to close.

Nebraska City

It has been my honor and privilege to have served Nebraska City as the Public Works Commissioner and also the Street Commissioner in the late 90's. Bonnie and I will call this beloved town "home" always, a place of treasured friends and committed community spirit.

Sincerely,



Jim Stark

NOTICE OF PUBLIC WORKS COMMISSIONER SEAT VACANCY

Notice is hereby given that at the July 18, 2016 Meeting of the City Council of the City of Nebraska City, the Commissioners accepted the resignation of Jim Stark, effective July 11, 2016, as the City's Commissioner of the Department of Public Works, following his acceptance of new employment out of state. This position will remain vacant until filled either by appointment or election. The duration of the term is until December 5, 2016.

Randy Dunster  
City Clerk-Treasurer

Moved by Commissioner Glover and seconded by Johns to accept the Maintenance Agreement with Kimmel Foundation for the property at 8th St. and 3rd Corso known as "the triangle", as drafted and authorize Mayor to sign. Upon roll call, the following voted YES: Crunk, Johns, Glover and Mayor Bequette. Voting NO: None. Motion carried.

Council held a discussion on the Tree Boards proposal for the Emerald Ash Borer action plan. Graham Herbst of the Urban Forestry for the Omaha Metro area spoke to address any questions of the Council. Rob Schreiner, Adam Howard and Vaughn Hammond also spoke regarding the issue.

Council held a discussion regarding employee benefits/employee wellness plan through Holmes Murphy. Craig Johnson of Holmes Murphy presented the plan options.

Commissioner Crunk departed from the meeting at 7:18 PM.

Moved by Commissioner Johns and seconded by Glover to table the request from Partners for Progress for two weeks and authorize the Mayor and Council to review the letter of support during that time. Dan Mauk, Rachael Pettid and Cassy Thornburg spoke to explain the program. Upon roll call, the following voted YES: Johns, Glover and Mayor Bequette. Voting NO: None. Motion carried.

Council held a discussion regarding LB840 program renewal. Dan Mauk spoke regarding the program.

Moved by Commissioner Johns and seconded by Glover to authorize Mayor and staff to complete letter and state application for "Nebraska 150" event: Steamboat Trace festival and Gran Fondo, (Nebraska City-Peru-Brownville, bike ride). Upon roll call, the following voted YES: Johns, Glover and Mayor Bequette. Voting NO: None. Motion carried.

Meeting Adjourned at 8:13 P.M.

City Council may hold a closed session by the affirmative vote of a majority of its voting members if a closed session is clearly necessary for the protection of the public interest or for the prevention of needless injury to the reputation of an individual and if such individual has not requested a public meeting. The subject matter and the reason necessitating the closed session shall be identified in the motion to close.

Nebraska City

AFFIDAVIT

I, the undersigned City Clerk for the City of Nebraska City, Nebraska, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the Mayor and Board of Commissioners, that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and available for public inspection at the office of the City Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the said minutes from which the foregoing proceedings have been extracted were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

---

Randy A. Dunster, City Clerk-Treasurer

**City Council may hold a closed session by the affirmative vote of a majority of its voting members if a closed session is clearly necessary for the protection of the public interest or for the prevention of needless injury to the reputation of an individual and if such individual has not requested a public meeting. The subject matter and the reason necessitating the closed session shall be identified in the motion to close.**

# CITY OF NEBRASKA CITY

1409 Central Avenue  
Nebraska City, NE 68410-2223  
Phone: 402-873-5515  
Fax: 402-873-5685



## Agenda Information Support Sheet

To: Mayor and Commissioners

Council Meeting: August 1, 2016  
Agenda Item: #                       
Submitted By: Randy Dunster

**A. Synopsis of Issue:**

- a. Resolution 2688-15 applied a lien on the property of 2411 S 3<sup>RD</sup> Street Nebraska City, NE. 68410 belonging to Terry Rutledge on January 6, 2016 and has been paid therefor the lien needs to be released.

**B. Options:**

- a. Release the lien on 2411 S 3<sup>RD</sup> Street – Terry Rutledge.

**C. Fiscal Note:**

- a. Current assessment balance is \$0.00

**D. Recommendation:**

- a. Release the lien on 2411 S 3<sup>RD</sup> Street – Terry Rutledge.
- b. *Recommended Motion:*
- c. Motion to Release the lien on 2411 S 3<sup>RD</sup> Street – Terry Rutledge.

**E. Background:**

- a. Resolution 2688-15 applied a lien on the property of 2411 S 3<sup>RD</sup> Street Nebraska City, NE. 68410 belonging to Terry Rutledge on January 6, 2016 and has been paid therefor the lien needs to be released.

\*\*\*\*\*

**Department Heads: Submit this form to Dave Partsch and Grayson Path by 5:00 pm of the day the Agenda meeting is held.**



# Nebraska City

## Nebraska City Utilities Statement of Net Position For Period Ending: May 31, 2016

	Current Month Amount	Current Y-T-D Amount
	*** Assets ***	
Net Plant in Service		
Electric Department	88,922.08	63,193,751.57
Gas Department	12,766.16	17,783,717.72
Water Department	583,246.66	15,124,155.40
Sanitation Department	90,837.96	18,552,104.86
Overhead	21,000.00	168,000.00
Subtotal	796,772.86	114,821,729.55
Less:		
Accumulated Depreciation	244,567.83	51,998,428.67
Contribution in Aid of Construction	1,000.17	18,155,591.53
Subtotal	245,568.00	70,154,020.20
Total Net Plant	551,204.86	44,667,709.35
Special Deposits	660.06	3,731,575.43
Current Assets		
Operating Funds	-7,495.02	8,311,618.87
Restricted Funds	29,895.44	3,958,428.67
Total Funds	22,400.42	12,270,047.54
Receivables	-118,980.90	2,279,310.01
Less Allowance	5,419.08	-27,698.17
Net Receivables	-113,561.82	2,251,611.84
Long Term Receivables-Transmission Credit	0.00	0.00
Inventory	79,796.84	1,767,994.15
Prepaid Items	-34,227.26	974,188.42
Total Current Assets	-45,591.82	17,263,841.95
Deferred Charges	-600,551.02	400,851.53
Total Assets	-94,277.92	66,063,978.26
	<b>** Liabilities &amp; Net Position **</b>	
Capitalization		
Long Term Debt	0.00	4,381,485.22
Less Current Installments		
Net Long Term Debt	0.00	4,381,485.22
Change in Net Position	-139,025.53	-299,713.54
Net Position	0.00	57,832,321.35
Total Capital	-139,025.53	61,914,093.03
Current Liabilities		
Current Installments Long Term Debt		
Accounts Payable	-13,648.25	1,290,709.13
Accrued Interest	11,866.54	76,272.51
Other Current Liabilities	46,529.32	2,782,903.59
Total Current Liabilities	44,747.61	4,149,885.23
Total Liabilities/Net Position	-94,277.92	66,063,978.26

City Council may hold a closed session by the affirmative vote of a majority of its voting members if a closed session is clearly necessary for the protection of the public interest or for the prevention of needless injury to the reputation of an individual and if such individual has not requested a public meeting. The subject matter and the reason necessitating the closed session shall be identified in the motion to close.

# Nebraska City

## Nebraska City Utilities Combined Revenue, Receipts & Receivable October 1, 2015 -May 31, 2016

	Current Month Amount	Last Year Curr Month Amount	Curr Month Amt (-) Last YR Month Amt		Current Y-T-D Amount	Last Year Y-T-D Amount	Current Y-T-D (-) Last Y-T-D Amount	
<b>Electric Revenue:</b>								
Residential	363,401.38	344,607.59	18,793.79	5.45%	3,400,876.92	3,352,486.38	48,390.54	1.44%
Residential - Unbilled			0.00				0.00	
Commercial	221,442.68	208,561.43	12,881.25	6.18%	1,876,729.81	1,837,168.40	39,561.41	2.15%
Commercial - Unbilled			0.00				0.00	
Industrial	478,504.30	458,493.51	20,010.79	4.36%	3,468,020.90	3,473,192.18	-5,171.28	-0.15%
Industrial - Unbilled			0.00				0.00	
Street Lighting	4,343.95	4,343.60	0.35	0.01%	34,751.60	34,439.65	311.95	0.91%
Dusk to Dawn Lighting	8,398.56	8,062.11	336.45	4.17%	66,448.60	63,652.71	2,795.89	4.39%
Municipalities	8,361.00	8,982.14	-621.14	-6.92%	101,272.40	109,998.31	-8,725.91	-7.93%
Capacity			0.00				0.00	
Other Utilities			0.00				0.00	
Penalties	13,951.05	4,204.50	9,746.55	231.81%	31,751.07	53,538.75	-21,787.68	-40.70%
<b>Total Electric Revenue</b>	<b>1,098,402.92</b>	<b>1,037,254.88</b>	<b>61,148.04</b>	<b>5.90%</b>	<b>8,979,851.30</b>	<b>8,924,476.38</b>	<b>55,374.92</b>	<b>0.62%</b>
<b>Gas Revenue:</b>								
Residential	86,562.03	94,516.76	-7,954.73	-8.42%	1,323,943.47	1,773,851.24	-449,907.77	-25.36%
Residential - Unbilled								
Commercial	38,122.77	43,901.75	-5,778.98	-13.16%	670,959.01	991,404.24	-320,445.23	-32.32%
Commercial - Unbilled								
Industrial	64,243.04	77,221.60	-12,978.56	-16.81%	686,358.08	882,743.15	-196,385.07	-22.25%
Industrial - Unbilled								
Penalties	1,319.95	1,152.39	167.56	14.54%	7,844.90	17,141.02	-9,296.12	-54.23%
<b>Total Gas Revenue</b>	<b>190,247.79</b>	<b>216,792.50</b>	<b>-26,544.71</b>	<b>-12.24%</b>	<b>2,689,105.46</b>	<b>3,665,139.65</b>	<b>-976,034.19</b>	<b>-26.63%</b>
<b>Water Revenue:</b>								
Residential	74,271.03	73,375.62	895.41	1.22%	574,033.31	556,653.50	17,379.81	3.12%
Residential - Unbilled								
Commercial	43,892.19	40,762.34	3,129.85	7.68%	320,936.30	300,020.54	20,915.76	6.97%
Commercial - Unbilled								
Fire Hydrants	174.32	166.80	7.52	4.51%	1,390.57	1,342.42	48.15	3.59%
Penalties	535.08	531.38	3.70	0.70%	1,539.59	4,226.67	-2,687.08	-63.57%
<b>Total Water Revenue</b>	<b>118,872.62</b>	<b>114,836.14</b>	<b>4,036.48</b>	<b>3.51%</b>	<b>897,899.77</b>	<b>862,243.13</b>	<b>35,656.64</b>	<b>4.14%</b>
<b>Sanitation Revenue:</b>								
Residential	78,090.22	78,170.46	-80.24	-0.10%	616,282.19	618,165.48	-1,883.29	-0.30%
Residential - Unbilled								
Commercial	37,171.42	33,730.97	3,440.45	10.20%	289,998.04	271,206.24	18,791.80	6.93%
Commercial - Unbilled								
Industrial	21,290.44	20,907.70	382.74	1.83%	161,945.88	165,008.92	-3,063.04	-1.86%
Industrial - Unbilled								
<b>Total Sanitation</b>	<b>136,552.08</b>	<b>132,809.13</b>	<b>3,742.95</b>	<b>2.82%</b>	<b>1,068,226.11</b>	<b>1,054,380.64</b>	<b>13,845.47</b>	<b>1.31%</b>
<b>Other Revenue:</b>								
Other Electric	-2,237.49	8,589.40	-10,826.89	-126.05%	68,050.54	79,992.29	-11,941.75	-14.93%
Other Gas	1,831.55	964.74	866.81	89.85%	1,295.71	12,610.04	-11,314.33	-89.72%
Other Water	7,655.36	6,706.99	948.37	14.14%	51,416.24	46,413.92	5,002.32	10.78%
Other Sanitation	1,359.79	50.00	1,309.79	100.00%	945.80	683.72	262.08	100.00%
<b>Total Other Revenue</b>	<b>8,609.21</b>	<b>16,311.13</b>	<b>-7,701.92</b>	<b>-47.22%</b>	<b>121,708.29</b>	<b>139,699.97</b>	<b>-17,991.68</b>	<b>-12.88%</b>
<b>Operating Revenue</b>	<b>1,552,684.62</b>	<b>1,518,003.78</b>	<b>34,680.84</b>	<b>2.28%</b>	<b>13,756,790.93</b>	<b>14,645,939.77</b>	<b>-889,148.84</b>	<b>-6.07%</b>
Interest	9,763.03	8,668.46	1,094.57	12.63%	74,721.75	67,144.59	7,577.16	11.28%
<b>Total Revenue</b>	<b>1,562,447.65</b>	<b>1,526,672.24</b>	<b>35,775.41</b>	<b>2.34%</b>	<b>13,831,512.68</b>	<b>14,713,084.36</b>	<b>-881,571.68</b>	<b>-5.99%</b>

City Council may hold a closed session by the affirmative vote of a majority of its voting members if a closed session is clearly necessary for the protection of the public interest or for the prevention of needless injury to the reputation of an individual and if such individual has not requested a public meeting. The subject matter and the reason necessitating the closed session shall be identified in the motion to close.

# Nebraska City

## Nebraska City Utilities Combined Operations October 01, 2015 - May 31, 2016

	Current Month Amount	Last Year Curr Month Amount	Curr Month Amt (-) Last YR Month Amt		Current Y-T-D Amount	Last Year Y-T-D Amount	Current Y-T-D (-) Last Y-T-D Amount	
<b>Electric Operations:</b>								
Electric Revenue	1,098,402.92	1,037,254.88	61,148.04	5.90%	8,979,851.30	8,924,476.38	55,374.92	0.62%
Electric Revenue - Unbilled			0.00				0.00	
Cost of Revenue	-897,961.96	-823,397.10	-74,564.86	9.06%	-6,820,163.67	-6,968,305.73	148,142.06	-2.13%
Transfer of Funds to City	-41,581.49	-40,116.70	-1,464.79	3.65%	-333,667.17	-336,094.53	2,427.36	-0.72%
Gross Margin	158,859.47	173,741.08	-14,881.61	-8.57%	1,826,020.46	1,620,076.12	205,944.34	12.71%
Deferred Elect Rev Yrly Entry			0.00		0.00	0.00	0.00	
Other Direct (Net)	-2,237.49	8,589.40	-10,826.89	-126.05%	68,050.54	79,992.29	-11,941.75	-14.93%
Total Direct Inc/Exp	-2,237.49	8,589.40	-10,826.89	-126.05%	68,050.54	79,992.29	-11,941.75	-14.93%
Net Contribution	156,621.98	182,330.48	-25,708.50	-14.10%	1,894,071.00	1,700,068.41	194,002.59	11.41%
<b>Gas Operations:</b>								
Gas Revenue	190,247.79	216,792.50	-26,544.71	-12.24%	2,689,105.46	3,665,139.65	-976,034.19	-26.63%
Gas Revenue - Unbilled								
Cost of Revenue	-167,379.00	-184,678.45	17,299.45	-9.37%	-2,106,762.98	-3,008,516.48	901,753.50	-29.97%
Transfer of Funds to City	-7,595.31	-8,928.97	1,333.66	-14.94%	-104,316.93	-142,977.39	38,660.46	-27.04%
Gross Margin	15,273.48	23,185.08	-7,911.60	-34.12%	478,025.55	513,645.78	-35,620.23	-6.93%
Other Direct (Net)	1,831.55	964.74	866.81	89.85%	1,295.71	12,610.04	-11,314.33	-89.72%
Total Direct Inc/Exp	1,831.55	964.74	866.81	89.85%	1,295.71	12,610.04	-11,314.33	-89.72%
Net Contribution	17,105.03	24,149.82	-7,044.79	-29.17%	479,321.26	526,255.82	-46,934.56	-8.92%
<b>Water Operations:</b>								
Water Revenue	118,872.62	114,836.14	4,036.48	3.51%	897,899.77	862,243.13	35,656.64	4.14%
Water Revenue - Unbilled			0.00				0.00	
Cost of Revenue	-82,732.25	-70,803.42	-11,928.83	16.85%	-589,526.18	-570,897.04	-18,629.14	3.26%
Gross Margin	36,140.37	44,032.72	-7,892.35	-17.92%	308,373.59	291,346.09	17,027.50	5.84%
Other Direct (Net)	7,655.36	6,706.99	948.37	14.14%	51,416.24	46,413.92	5,002.32	10.78%
Total Direct Inc/Exp	7,655.36	6,706.99	948.37	14.14%	51,416.24	46,413.92	5,002.32	10.78%
Net Contribution	43,795.73	50,739.71	-6,943.98	-13.69%	359,789.83	337,760.01	22,029.82	6.52%
<b>Sanitation Oper:</b>								
Sanitation Revenue	136,552.08	132,809.13	3,742.95	2.82%	1,068,226.11	1,054,380.64	13,845.47	1.31%
Sanitation Revenue - Unbilled								
Cost of Revenue	-56,156.99	-68,436.33	12,279.34	-17.94%	-561,826.26	-565,681.00	3,854.74	-0.68%
Gross Margin	80,395.09	64,372.80	16,022.29	24.89%	506,399.85	488,699.64	17,700.21	3.62%
Other Direct (Net)	1,359.79	50.00	1,309.79	100.00%	945.80	683.72	262.08	100.00%
Total Direct Inc/Exp	1,359.79	50.00	1,309.79	100.00%	945.80	683.72	262.08	100.00%
Net Contribution	81,754.88	64,422.80	17,332.08	26.90%	507,345.65	489,383.36	17,962.29	3.67%
<b>Combined Operations</b>								
Total Net Contributed	299,277.62	321,642.81	-22,365.19	-6.95%	3,240,527.74	3,053,467.60	187,060.14	6.13%
General Operations	-214,180.22	-226,516.30	12,336.08	-5.45%	-1,720,922.75	-1,742,762.77	21,840.02	-1.25%
Interest Expense	-11,866.54	-12,416.19	549.65	-4.43%	-95,484.92	-100,498.77	5,013.85	-4.99%
Interest Income	9,763.03	8,668.46	1,094.57	12.63%	74,721.75	67,144.59	7,577.16	11.28%
Depr. Expense	-224,500.00	-217,500.00	-7,000.00	3.22%	-1,796,000.00	-1,740,000.00	-56,000.00	3.22%
Pay In Lieu Of Taxes	-719.42	-802.75	83.33	-10.38%	-5,755.36	-6,422.00	666.64	-10.38%
<b>Total Net Income</b>	<b>-142,225.53</b>	<b>-126,923.97</b>	<b>-15,301.56</b>	<b>12.06%</b>	<b>-302,913.54</b>	<b>-469,071.35</b>	<b>166,157.81</b>	<b>-35.42%</b>

City Council may hold a closed session by the affirmative vote of a majority of its voting members if a closed session is clearly necessary for the protection of the public interest or for the prevention of needless injury to the reputation of an individual and if such individual has not requested a public meeting. The subject matter and the reason necessitating the closed session shall be identified in the motion to close.

# Nebraska City

Nebraska City Utilities  
General Operations for EGWS #300  
October 1, 2015 - May 31, 2016

	Current Month Amount	Last Year Curr Month Amount	Curr Month Amt (-) Last YR Month Amt		Current Y-T-D Amount	Last Year Y-T-D Amount	Current Y-T-D (-) Last Y-T-D Amount	
<b>Accounting/Collections</b>								
Supervision	3,461.55	3,519.30	-57.75	-1.64%	27,727.80	27,705.70	22.10	0.08%
Meter Reading	8,791.08	12,566.16	-3,775.08	-30.04%	73,537.24	74,621.50	-1,084.26	-1.45%
Collecting	11,486.68	12,632.72	-1,146.04	-9.07%	86,790.86	98,319.54	-11,528.68	-11.73%
Billing/Collecting	16,020.75	14,373.85	1,646.90	11.46%	128,313.58	124,988.17	3,325.41	2.66%
Total Acct/Coll.	39,760.06	43,092.03	-3,331.97	-7.73%	316,369.48	325,634.91	-9,265.43	-2.85%
<b>Sales Pro:</b>								
Supervision	2,356.56	1,919.61	436.95	22.76%	14,846.09	14,738.25	107.84	0.73%
Misc	6,826.75	6,623.47	203.28	3.07%	54,742.83	49,300.57	5,442.26	11.04%
Total Sales Pro.	9,183.31	8,543.08	640.23	7.49%	69,588.92	64,038.82	5,550.10	8.67%
<b>General:</b>								
Adm. Salary	4,207.32	8,684.40	-4,477.08	-51.55%	72,742.79	79,609.25	-6,866.46	-8.63%
General Salary	19,590.24	17,059.03	2,531.21	14.84%	137,884.35	135,062.46	2,821.89	2.09%
Office Sup.	1,288.09	1,204.83	83.26	6.91%	15,823.99	13,963.48	1,860.51	13.32%
Prof. Services	3,200.00	3,200.00	0.00	0.00%	30,320.68	30,058.20	262.48	0.87%
Insurance	35,491.66	34,521.00	970.66	2.81%	260,184.63	270,829.41	-10,644.78	-3.93%
Employee Welfare	69,086.44	61,859.32	7,227.12	11.68%	523,360.53	493,825.53	29,535.00	5.98%
Pensions/FICA/Medicare	44,174.33	43,316.86	857.47	1.98%	361,181.32	356,233.44	4,947.88	1.39%
Misc. General Expense	1,761.91	2,355.26	-593.35	-25.19%	28,425.19	30,039.35	-1,614.16	-5.37%
Free Street Lighting for N.C.	4,755.92	4,755.92	0.00	0.00%	38,083.23	38,047.34	35.89	0.09%
Overhead Construction	-18,319.06	-2,075.43	-16,243.63	782.66%	-133,042.36	-94,579.42	-38,462.94	40.67%
Total General	165,236.85	174,881.19	-9,644.34	-5.51%	1,334,964.35	1,353,089.04	-18,124.69	-1.34%
<b>Total Operations</b>	<b>214,180.22</b>	<b>226,516.30</b>	<b>-12,336.08</b>	<b>-5.45%</b>	<b>1,720,922.75</b>	<b>1,742,762.77</b>	<b>-21,840.02</b>	<b>-1.25%</b>

City Council may hold a closed session by the affirmative vote of a majority of its voting members if a closed session is clearly necessary for the protection of the public interest or for the prevention of needless injury to the reputation of an individual and if such individual has not requested a public meeting. The subject matter and the reason necessitating the closed session shall be identified in the motion to close.

# Nebraska City

## Nebraska City Utilities Revenue to Consumption Comparison October 1, 2015 - May 31, 2016

Pg. 1

	Current Month Amount	Last Year Curr Month Amount	Curr Month Amt (-) Last YR Month Amt		Current Y-T-D Amount	Last Year Y-T-D Amount	Current Y-T-D (-) Last Y-T-D Amount	
<b>ELECTRIC REVENUE/CONSUMPTION</b>								
Residential	363,401.38	344,607.59	18,793.79	5.45%	3,400,876.92	3,352,486.38	48,390.54	1.44%
Residential - Unbilled			0.00				0.00	
KWH's	3,135,014.00	3,055,177.00	79,837.00	2.61%	32,139,710.00	33,563,722.00	-1,424,012.00	-4.24%
Commercial	221,442.68	208,561.43	12,881.25	6.18%	1,876,729.81	1,837,168.40	39,561.41	2.15%
Commercial - Unbilled			0.00				0.00	
KWH's	2,089,693.00	1,976,877.00	112,816.00	5.71%	17,888,825.00	17,960,278.00	-71,453.00	-0.40%
Industrial	478,504.30	458,493.51	20,010.79	4.36%	3,468,020.90	3,473,192.18	-5,171.28	-0.15%
Industrial - Unbilled			0.00				0.00	
KWH's	6,260,632.00	5,659,172.00	601,460.00	10.63%	44,252,265.00	43,222,172.00	1,030,093.00	2.38%
Dusk to Dawn Lighting	8,398.56	8,062.11	336.45	4.17%	66,448.60	63,652.71	2,795.89	4.39%
KWH's	71,854.00	68,146.00	3,708.00	5.44%	560,490.00	536,258.00	24,232.00	4.52%
Street Lighting	4,343.95	4,343.60	0.35	0.01%	34,751.60	34,439.65	311.95	0.91%
KWH's	167,781.00	168,818.00	-1,037.00	-0.61%	1,349,507.00	1,347,007.00	2,500.00	0.19%
Municipalities	8,361.00	8,982.14	-621.14	-6.92%	101,272.40	109,998.31	-8,725.91	-7.93%
KWH's	100,000.00	109,600.00	-9,600.00	-8.76%	1,239,200.00	1,362,000.00	-122,800.00	-9.02%
Surge Protection								
Capacity								
Other Utilities			0.00				0.00	
KWH's	575,300.00	3,377,317.00	-2,802,017.00	-82.97%	4,732,999.00	5,947,663.00	-1,214,664.00	-20.42%
Penalties	13,951.05	4,204.50	9,746.55	231.81%	31,751.07	53,538.75	-21,787.68	-40.70%
<b>TOTAL ELECTRIC REVENUE</b>	<b>1,098,402.92</b>	<b>1,037,254.88</b>	<b>61,148.04</b>	<b>5.90%</b>	<b>8,979,851.30</b>	<b>8,924,476.38</b>	<b>55,374.92</b>	<b>0.62%</b>
<b>TOTAL ELECTRIC CONSUMPTION</b>	<b>12,400,274.00</b>	<b>14,415,107.00</b>	<b>-2,014,833.00</b>	<b>-13.98%</b>	<b>102,162,996.00</b>	<b>103,939,100.00</b>	<b>-1,776,104.00</b>	<b>-1.71%</b>
<b>GAS REVENUE/CONSUMPTION</b>								
Residential	86,562.03	94,516.76	-7,954.73	-8.42%	1,323,943.47	1,773,851.24	-449,907.77	-25.36%
Residential - Unbilled								
CCF - Gas	96,529.00	105,360.00	-8,831.00	-8.38%	1,975,602.00	2,317,858.00	-342,256.00	-14.77%
Commercial	38,122.77	43,901.75	-5,778.98	-13.16%	670,959.01	991,404.24	-320,445.23	-32.32%
Commercial - Unbilled								
CCF - Gas	52,984.00	59,438.00	-6,454.00	-10.86%	1,010,126.00	1,275,336.00	-265,210.00	-20.80%
Industrial	64,243.04	77,221.60	-12,978.56	-16.81%	686,358.08	882,743.15	-196,385.07	-22.25%
Industrial - Unbilled								
CCF - Gas	193,351.00	172,825.00	20,526.00	11.88%	1,616,935.00	1,622,436.00	-5,501.00	-0.34%
Penalties	1,319.95	1,152.39	167.56	14.54%	7,844.90	17,141.02	-9,296.12	-54.23%
<b>TOTAL GAS REVENUE</b>	<b>190,247.79</b>	<b>216,792.50</b>	<b>-26,544.71</b>	<b>-12.24%</b>	<b>2,689,105.46</b>	<b>3,665,139.65</b>	<b>-976,034.19</b>	<b>-26.63%</b>
<b>TOTAL GAS CONSUMPTION</b>	<b>342,864.00</b>	<b>337,623.00</b>	<b>5,241.00</b>	<b>1.55%</b>	<b>4,602,663.00</b>	<b>5,215,630.00</b>	<b>-612,967.00</b>	<b>-11.75%</b>
<b>WATER REVENUE/CONSUMPTION</b>								
Residential	74,271.03	73,375.62	895.41	1.22%	574,033.31	556,653.50	17,379.81	3.12%
Residential - Unbilled								
CF - Water	2,789,452.00	2,735,080.00	54,372.00	1.99%	21,096,557.00	20,118,181.00	978,376.00	4.86%
Commercial	43,892.19	40,762.34	3,129.85	7.68%	320,936.30	300,020.54	20,915.76	6.97%
Commercial - Unbilled								
CF - Water	2,794,274.00	2,546,494.00	247,780.00	9.73%	20,116,198.00	18,494,713.00	1,621,485.00	8.77%
Fire Hydrants	174.32	166.80	7.52	4.51%	1,390.57	1,342.42	48.15	3.59%
CF - Water								
Penalties	535.08	531.38	3.70	0.70%	1,539.59	4,226.67	-2,687.08	-63.57%
<b>TOTAL WATER REVENUE</b>	<b>118,872.62</b>	<b>114,836.14</b>	<b>4,036.48</b>	<b>3.51%</b>	<b>897,899.77</b>	<b>862,243.13</b>	<b>35,656.64</b>	<b>4.14%</b>
<b>TOTAL WATER CONSUMPTION</b>	<b>5,583,726.00</b>	<b>5,281,574.00</b>	<b>302,152.00</b>	<b>5.72%</b>	<b>41,212,755.00</b>	<b>38,612,894.00</b>	<b>2,599,861.00</b>	<b>6.73%</b>

City Council may hold a closed session by the affirmative vote of a majority of its voting members if a closed session is clearly necessary for the protection of the public interest or for the prevention of needless injury to the reputation of an individual and if such individual has not requested a public meeting. The subject matter and the reason necessitating the closed session shall be identified in the motion to close.

# Nebraska City

## Nebraska City Utilities Revenue to Consumption Comparison October 1, 2015 - May 31, 2016

Pg. 2

	Current Month Amount	Last Year Curr Month Amount	Curr Month Amt (-) Last YR Month Amt		Current Y-T-D Amount	Last Year Y-T-D Amount	Current Y-T-D (-) Last Y-T-D Amount	
<b>SANITATION REVENUE/CONSUMPTION</b>								
Residential	78,090.22	78,170.46	-80.24	-0.10%	616,282.19	618,165.48	-1,883.29	-0.30%
Residential - Unbilled								
Commercial	37,171.42	33,730.97	3,440.45	10.20%	289,998.04	271,206.24	18,791.80	6.93%
Commercial - Unbilled								
Industrial	21,290.44	20,907.70	382.74	1.83%	161,945.88	165,008.92	-3,063.04	-1.86%
Industrial - Unbilled								
<b>TOTAL SANITATION REVENUE</b>	<b>136,552.08</b>	<b>132,809.13</b>	<b>3,742.95</b>	<b>2.82%</b>	<b>1,068,226.11</b>	<b>1,054,380.64</b>	<b>13,845.47</b>	<b>1.31%</b>
<b>OTHER REVENUE</b>								
Other Electric	-2,237.49	8,589.40	-10,826.89	-126.05%	68,050.54	79,992.29	-11,941.75	-14.93%
Other Gas	1,831.55	964.74	866.81	89.85%	1,295.71	12,610.04	-11,314.33	-89.72%
Other Water	7,655.36	6,706.99	948.37	14.14%	51,416.24	46,413.92	5,002.32	10.78%
Other Sanitation	1,359.79	50.00	1,309.79	100.00%	945.80	683.72	262.08	100.00%
<b>TOTAL OTHER REVENUE</b>	<b>8,609.21</b>	<b>16,311.13</b>	<b>-7,701.92</b>	<b>-47.22%</b>	<b>121,708.29</b>	<b>139,699.97</b>	<b>-17,991.68</b>	<b>-12.88%</b>
<b>TOTAL OPERATION REVENUE</b>	<b>1,552,684.62</b>	<b>1,518,003.78</b>	<b>34,680.84</b>	<b>2.28%</b>	<b>13,756,790.93</b>	<b>14,645,939.77</b>	<b>-889,148.84</b>	<b>-6.07%</b>
Interest	9,763.03	8,668.46	1,094.57	12.63%	74,721.75	67,144.59	7,577.16	11.28%
<b>TOTAL REVENUE</b>	<b>1,562,447.65</b>	<b>1,526,672.24</b>	<b>35,775.41</b>	<b>2.34%</b>	<b>13,831,512.68</b>	<b>14,713,084.36</b>	<b>-881,571.68</b>	<b>-5.99%</b>

City Council may hold a closed session by the affirmative vote of a majority of its voting members if a closed session is clearly necessary for the protection of the public interest or for the prevention of needless injury to the reputation of an individual and if such individual has not requested a public meeting. The subject matter and the reason necessitating the closed session shall be identified in the motion to close.

Nebraska City

Nebraska City Utilities  
Accounts Payable Check Register  
June 2016

Check Number	Vendor Name	Amount	Return Check Code
46755	A-1 LOCKSMITH	199.98	
46756	ALTEC INDUSTRIES INC.	82.18	
46757	AUTOMATION DIRECT.COM INC.	2,683.50	
46758	BERRY	637.55	
46759	BLACK HILLS ENERGY	8,559.55	
46760	CAPITAL BUSINESS SYSTEMS INC.	98.49	
46761	CITIZEN PRINTING CO.	376.25	
46762	CITY OF GRAND ISLAND	33,773.51	
46763	CITY OF NEBRASKA CITY	11,851.34	
46764	COLONIAL LIFE & ACCIDENT INS	164.44	
46765	DATATRONICS INC	418.67	
46766	DIGI-KEY ELECTRONICS 333301	36.73	
46767	DPC INDUSTRIES INC.	2,387.60	
46768	DUTTON-LAINSON	1,822.57	
46769	ELECTRIC PUMP	4,595.63	
46770	FASTENAL COMPANY	146.79	
46771	GATEHOUSE MEDIA NE HOLDINGS	12.05	
46772	GREENHECK FAN CORPORATION	304.09	
46773	Henry Motors	565.26	
46774	HD SUPPLY WATERWORKS LTD	169.29	
46775	HOWARD ORNDORFF	38.19	
46776	INDUSTRIAL SALES CO. INC	2,686.62	
46777	JEFF KOHRS	94.17	
46778	JERRY'S ELECTRIC INC.	6,845.00	
46779	JOHN DAY COMPANY	30.50	
46780	JOHNNY'S CYCLE	171.85	
46781	KONECRANES INC.	13,436.73	
46782	KRIZ-DAVIS CO.	4,799.25	
46783	LAWSON PRODUCTS INC	597.73	
46784	LINCOLN ELECTRIC SUPPLY CO.	1,330.31	
46785	MATRIX TRUST COMPANY	22,241.32	
46786	MIDWEST FARMERS COOPERATIVE	188.20	
46787	MILLER-MONROE INS.	1,006.00	
46788	MISSISSIPPI LIME CO.	4,493.44	
46789	MONA KUHLENENGEL	265.81	
46790	MUNICIPAL SUPPLY INC OF OMAHA	1,726.46	
46791	NEBR CITY AREA ECONOMIC DEVELO	4,680.10	
46792	NEBRASKA CITY UTILITIES	192,203.11	
46793	NEBRASKA CITY UTILITIES	100.00	
46794	NEBRASKA CITY UTILITIES-PETTY	1,806.38	
46795	NEBRASKA DEPT OF ENVIRONMENTAL	174,390.48	
46796	NEBRASKA SAFETY COUNCIL	9.66	
46797	NORTH AMERICAN ELECTRIC RELIAB	2,127.91	
46798	OTOE COUNTY RURAL WATER DISTRI	24.79	
46799	PIPING RESOURCES INC	3,530.63	
46800	PUBLIC POWER GENERATION AGENCY	45,334.92	
46801	PUBLIC POWER GENERATION AGENCY	171,160.84	

City Council may hold a closed session by the affirmative vote of a majority of its voting members if a closed session is clearly necessary for the protection of the public interest or for the prevention of needless injury to the reputation of an individual and if such individual has not requested a public meeting. The subject matter and the reason necessitating the closed session shall be identified in the motion to close.

Nebraska City

Nebraska City Utilities  
Accounts Payable Check Register  
June 2016

Check Number	Vendor Name	Amount	Return Check Code
46802	RELIABLE EQUIPMENT AND SERVICE	170.63	
46803	SAT/TECH LLC	134.34	
46804	STUTHEIT IMPLEMENT COMPANY	513.55	
46805	SYRACUSE IRON WORKS INC	337.96	
46806	TOTAL TOOL SUPPLY	143.52	
46807	UNITED PARCEL SERVICE	145.18	
46808	USPS-HASLER	4,000.00	
46809	VERMEER HIGH PLAINS	1,251.04	
46810	VISA CARD SERVICES (ORSCH	587.20	
46811	WESCO RECEIVABLES CORP.	102.13	
46812	WESTLAKE ACE HARDWARE	63.80	
46813	WINDSTREAM NEBRASKA INC.	107.15	
46814	YANT TESTING SUPPLY & EQUIPMEN	427.93	
46815	YRC FREIGHT	318.06	
46816	ZORO INC.COUNTS RECEIVABLE	50.40	
46817	ALFRED BENESCH & COMPANY	10,706.13	
46818	ALLIED ELECTRONICS INC.	58.06	
46819	ALTEC INDUSTRIES INC.	452.50	
46820	AMBASSADOR WELLNESS CENTER LLC	874.81	
46821	AMERICAN RECYCLING & SANITATIO	286.05	
46822	ARBOR BANK	193,509.50	
46823	BISHOP PLUMBING & HEATING INC	52.68	
46824	BOHL PLUMBING & HEATING	578.09	
46825	CINTAS CORPORATION #749	268.20	
46826	CITY OF NEBRASKA CITY	2,482.31	
46827	CULLIGAN WATER CONDITIONING-PE	222.50	
46828	DOUGLAS TIRE	42.05	
46829	EAKES OFFICE SOLUTIONS	788.58	
46830	FASTENAL COMPANY	1,181.83	
46831	FERRELLGAS	37.98	
46832	GEA MECH EQUIP-WESTFALIA SEPAR	6,675.81	
46833	GIS WORKSHOP	5,040.00	
46834	Henry Motors	69.50	
46835	HALL'S SAFETY EQUIPMENT	199.20	
46836	HIRERIGHT LLC	490.12	
46837	HOPKINS AUTOMOTIVE INC.	202.46	
46838	INDUSTRIAL SALES CO. INC	52.87	
46839	KanEquip Inc	35.12	
46840	KNCY	135.00	
46841	KRIZ-DAVIS CO.	7,576.52	
46842	LANDIS ENGINE CO.	535.67	
46843	LINCOLN ELECTRIC SUPPLY CO.	631.44	
46844	LOGAN CONTRACTORS SUPPLY INC	169.26	
46845	MARY C. MEYER	54.00	
46846	MARY ELLEN GRUNDMAN	706.50	
46847	MEAD LUMBER DO IT BEST	404.72	
46848	MERCER'S DO IT BEST	1,107.11	

City Council may hold a closed session by the affirmative vote of a majority of its voting members if a closed session is clearly necessary for the protection of the public interest or for the prevention of needless injury to the reputation of an individual and if such individual has not requested a public meeting. The subject matter and the reason necessitating the closed session shall be identified in the motion to close.

Nebraska City  
 Nebraska City Utilities  
 Accounts Payable Check Register  
 June 2016

Check Number	Vendor Name	Amount	Return Check Code
46849	MISSISSIPPI LIME CO.	5,040.82	
46850	MUNICIPAL SUPPLY INC OF OMAHA	341.52	
46851	NC MULLENAX AUTO SUPPLY INC.	208.17	
46852	NEBRASKA DEPT OF ENVIRONMENTAL	97.27	
46853	NEBRASKA PUBLIC HEALTH ENVIRON	1,444.00	
46854	NORTHERN SAFETY CO INC	60.22	
46855	O'REILLY AUTO PARTS	185.11	
46856	OMAHA PUBLIC POWER DISTRICT	126.68	
46857	ONE CALL CONCEPTS INC.	268.17	
46858	PIPING RESOURCES INC	1,048.34	
46859	PROCESS MEASUREMENT CO	318.05	
46860	PUBLIC POWER GENERATION AGENCY	2,415.78	
46861	RESCO	42.95	
46862	SAPP BROS SERVICE CENTERS	744.74	
46863	SCHMITZ LAND SURVEYING	423.50	
46864	SPRINT NEXTEL	257.59	
46865	THE AMBASSADOR REHAB & WELLNES	450.00	
46866	THE EMACULATE TOUCH COMPANY	794.78	
46867	TODD CHANEY	80.46	
46868	UNITED PARCEL SERVICE	55.40	
46869	UNITED STATES POSTAL SERVICE	262.00	
46870	WASHINGTON NATIONAL INS CO	355.80	
46871	WATER ENGINEERING INC.	249.05	
46872	WESCO RECEIVABLES CORP.	1,007.92	
46873	ZEP MANUFACTURING COMPANY	1,547.14	
46874	ZORO INC.COUNTS RECEIVABLE	219.97	
46875	7-M CORPORATION	573.69	
46876	ARBOR MART	595.32	
46877	AUTOMATION DIRECT.COM INC.	266.50	
46878	BOHL PLUMBING & HEATING	148.17	
46879	CARL ABBOTT	60.00	
46880	CITY OF GRAND ISLAND	26,459.93	
46881	CITY OF NEBRASKA CITY	70,474.61	
46882	CITY OF NEBRASKA CITY	149.15	
46883	CONCRETE INDUSTRIES INC.	635.35	
46884	CULLIGAN WATER CONDITIONING-PE	7,850.00	
46885	DATA SOURCE TECHNOLOGY & PRINT	153.62	
46886	DATATRONICS INC	418.67	
46887	DEPARTMENT OF REVENUE	72,346.69	
46888	DOUGLAS TIRE	46.00	
46889	DUTTON-LAINSON	7,035.93	
46890	DWYER INSTRUMENTS INC.	436.20	
46891	DXP ENTERPRISES INC.	489.45	
46892	GATEHOUSE MEDIA NE HOLDINGS	612.05	
46893	Henry Motors	470.41	
46894	HACH COMPANY	448.89	
46895	HALL'S SAFETY EQUIPMENT	204.80	

City Council may hold a closed session by the affirmative vote of a majority of its voting members if a closed session is clearly necessary for the protection of the public interest or for the prevention of needless injury to the reputation of an individual and if such individual has not requested a public meeting. The subject matter and the reason necessitating the closed session shall be identified in the motion to close.

Nebraska City

Nebraska City Utilities  
Accounts Payable Check Register  
June 2016

Check Number	Vendor Name	Amount	Return Check Code
46896	HALSEN PRODUCTS COMPANY	676.29	
46897	HD SUPPLY WATERWORKS LTD	56.53	
46898	HFE PROCESS	50,063.00	
46899	INDUSTRIAL SALES CO. INC	1,180.43	
46900	INSTITUTE OF BUSINESS PUBLICAT	265.00	
46901	KBIE FM	495.00	
46902	KRIZ-DAVIS CO.	5,361.06	
46903	LARSON DATA COMMUNICATIONS	1,553.53	
46904	LINCOLN ELECTRIC SUPPLY CO.	1,012.99	
46905	MATRIX TRUST COMPANY	21,483.92	
46906	MC INTIRE MANAGEMENT GROUP	1,415.82	
46907	MEAN	130,665.01	
46908	MIDLAND COMPUTER INC.	1,010.50	
46909	MIDWEST FARMERS COOPERATIVE	337.47	
46910	MIDWEST LABORATORIES INC	282.95	
46911	MISSISSIPPI LIME CO.	4,549.03	
46912	MUNICIPAL SUPPLY INC OF OMAHA	851.45	
46913	NEBRASKA CITY UTILITIES	185,323.39	
46914	NEBRASKA RURAL WATER ASSOCIATI	49.00	
46915	OMAHA PUBLIC POWER DISTRICT	283,222.26	
46916	PARKSON CORPORATION	1,898.85	
46917	PIPING RESOURCES INC	536.03	
46918	RENO STITT	434.44	
46919	RESCO	6,678.41	
46920	ROLI INDUSTRIAL SALES INC.	2,381.43	
46921	SAPP BROS SERVICE CENTERS	1,113.35	
46922	SHAFFER COMMUNICATIONS	91.91	
46923	SYRACUSE FUEL & LUMBER CO	11.89	
46924	TALLMAN EQUIPMENT COMPANY INC.	3,007.37	
46925	TRUCK CENTER COMPANIES	287.79	
46926	VERMEER HIGH PLAINS	473.51	
46927	VISA CARD SERVICES	3,382.21	
46928	VOYAGER FLEET SYSTEMS INC	6,172.37	
46929	WESCO RECEIVABLES CORP.	2,179.03	
46930	WINDSTREAM NEBRASKA INC.	1,452.29	
46931	ZIMMER & FRANCESCON INC.	8,743.44	
46932	DEPARTMENT OF ENERGY	108,706.29	
46933	MARY C. MEYER	162.00	
TOTAL COUNT	179	2,013,673.43	
* * * E N D O F R E P O R T * * *			

Nebraska City

**NOTICE OF PUBLIC HEARING  
AND**

**Notice of Intent to Use City of Nebraska City Economic Development Program Funds (LB840)**

**NOTICE IS HEREBY GIVEN THAT**, on Monday, August 1, 2016 at **6:00 P.M.**, at the Council Chambers in City Hall, 1409 Central Ave., Nebraska City, Nebraska, the City Council of Nebraska City, Nebraska, will hold a **Public Hearing** concerning the use of **\$75,000** of City of Nebraska City Economic Development Program Funds (LB840) accumulated from the collection of funds through the local municipal options sales tax (LB840) voted in by the citizens of Nebraska City, Nebraska.

If approved by the City Council, the Program funds will be provided as grant funds through LB840 funding to **Green Lamb Properties LLC**. These funds will be used for site plan, tenant recruitment and retention at the VF Mall, which is located at 1101 Highway 2, Nebraska City, Nebraska.

There will be no displacement of persons as a result of this activity.

All interested persons are invited to attend the public hearing at which time they will be given the opportunity to speak in favor or in opposition to the proposed use of Program Income. If there are questions regarding the plan to utilize these funds, please contact: Dan Mauk, Economic Development Loan Fund Administrator at (402) 873-4293.

Individuals requiring physical or sensory accommodations, including interpreter service, braille, large print or recorded materials, please contact Randy Dunster, City Clerk, City Hall, 1409 Central Ave., Nebraska City, Nebraska, 68410, (402) 873-5515, no later than 12:00 noon, on Friday, July 29, 2016.

Randy Dunster, City Clerk

Nebraska City  
**RESOLUTION NO. 2710-16**

**TO USE PROGRAM FUNDS FROM THE CITY OF NEBRASKA CITY ECONOMIC  
DEVELOPMENT PROGRAM (LB840)**

**WHEREAS**, the **City of Nebraska City** has received Program Funds through the City of Nebraska City Economic Development Plan and,

**WHEREAS**, Program funds for Economic Development are allowed to be used for making funding awards to eligible businesses in accordance with the City of Nebraska City Economic Development Plan, program and governing regulations, and,

**WHEREAS**, the City of Nebraska City Economic Development Plan has previously been adopted, and,

**WHEREAS**, the Citizens Advisory Review Committee has recommended approval by an eligible business on a project with a total estimated cost of \$2,000,000.00, with \$75,000 sought through an Economic Development Program grant,

**WHEREAS**, the City Council of Nebraska City conducted a public hearing upon the proposed use of Economic Development Program funds,

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of Nebraska City, that the obligation of funds is approved as applied in the amount of \$75,000 in a grant for site plan, tenant recruitment and retention for development at the VF Mall located at 1101 Highway 2, subject to conditions of the application, and the Mayor is hereby authorized to execute all necessary and appropriate documents on behalf of the City and the City of Nebraska City Economic Development Program to complete the project funding for **“Green Lamb Properties, LLC”**, contingent upon approval of the City Attorney as to form.

Passed and adopted on the 1<sup>st</sup> day of August, 2016, by the City Council of Nebraska City.

\_\_\_\_\_  
Bryan Bequette, Mayor

ATTEST: \_\_\_\_\_  
Randy Dunster, City Clerk-Treasurer

## Nebraska City

City of Nebraska City  
Local Option Municipal Economic Development Program  
Application for Financial Assistance (Direct Use of Funds)

**Amended Application per July 13, 2016 Citizen Advisory Review Committee action.**

Business information:

Entity: **Green Lamb Properties, LLC, Brett Gay/Terry Fulton**

Fed. ID#: **pending**

Address **1404 2<sup>nd</sup> Avenue, Nebraska City, NE 68410**

Contact: **Brett Gay**

Phone: **402-209-5593**

E-mail: **[brettgay07@hotmail.com](mailto:brettgay07@hotmail.com)**

Fund Use Classification: **Retail-Business Development**

Amount of request for financial assistance: **\$75,000 (note: this is the current maximum available per statute from this fund for this use – Dan S. Mauk administrator)**

Purpose of the organization:

**This funding would assist the applicant with the purchase and development of the existing 100,000 square foot Nebraska City VF Factory Mall space and approximately 28 acres that surrounds the mall.**

**With VF Factory stores leaving in September this redevelopment of the existing mall space and surrounding acres has the potential financial impact in the millions for the city of Nebraska City.**

**Green Lamb Properties, LLC will bring local ownership to this high profile, high traffic location, to be renamed *Arbor Crossing*. This is arguably one of the most travelled intersections in southeast Nebraska. Redevelopment of this space will create multiple quality job opportunities for residents, increase the sales tax revenues, expand existing business, and create new business start-ups. Inviting key business and improving existing business will improve the existing mall space. This project intends to capture travelers otherwise not stopping in Nebraska City due to the overpass of Nebraska City. With our current ownership in existing business and property in downtown Nebraska City this project intends to further downtown commerce and development by stopping traffic and inviting travelers and tourism to investigate what else Nebraska City has to offer. Attracting travelers and tourism thru new amenities (hotel, gas station, sundries and restaurants as possibilities). We would be working with the Nebraska City Tourism and Chamber and the Nebraska City Area Economic Development Corp, downtown business owners, and City to use this space as a crossroads for commerce and tourism.**

City Council may hold a closed session by the affirmative vote of a majority of its voting members if a closed session is clearly necessary for the protection of the public interest or for the prevention of needless injury to the reputation of an individual and if such individual has not requested a public meeting. The subject matter and the reason necessitating the closed session shall be identified in the motion to close.

Nebraska City

As you can see once you dive into this opportunity it is so much more than just leasing space at the mall. Therefore, we are looking forward to working with the city in the planning of this Arbor Crossing space. Which involves the signage, look of the exterior of the mall and planning the twenty-eight (28) acre space which will develop into Arbor Crossing. We are working with two local banks, First Nebraska Bank and Arbor Bank.

We intend to invite travelers to investigate what else Nebraska City has to offer by enhancing the ability to attract commerce and tourism and impact local and regional needs of the southeast Nebraska economic area. This opportunity and new vision for what can be the new face of Nebraska City has the potential for much needed growth and development.

Project Information: Uses of Funds :

Total Project Costs	LB840 Funds	Equity	Additional Funds
\$575,000	\$75,000	\$200,000	\$375,000 (bank financing)

Source of Funds – Entity Contribution: cash and property equity

Source of Funds – Additional Funds: Bank Loan

The requested grant would be used to professionally develop a site plan (estimated cost \$7,500), assist with costs related to current tenant retention (including tenant improvements), new tenant recruitment, and project marketing.

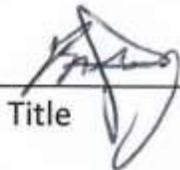
The above information is accurate to the best of my knowledge and belief. The above information is provided to help evaluate the feasibility of obtaining public financial assistance. I further authorize the release of project information contained within this application.

Date: 07/13/2016

Printed applicant name: **Brett Gay and Terry Fulton on behalf of  
Green Lamb Properties, LLC**

Signature(s): \_\_\_\_\_

Title



Nebraska City

City of Nebraska City  
Local Option Municipal Economic Development Program  
Application for Financial Assistance (Direct Use of Funds)

Please complete entire form - Do not leave any questions blank.

**A. Business (Borrower) Information:**

Name of Entity to Receive Assistance: Green Lamb 6 Properties LLC  
Federal ID#: \_\_\_\_\_  
Address: 1404 2nd Ave City: Nebraska City State: NE ZIP: 68410  
Contact Person: Brett Gay Telephone #: (402) 209-5593  
Fax #: ( ) \_\_\_\_\_ E-mail address: brettgay07@hotmail.com  
Website address (if applicable): \_\_\_\_\_  
Fund Use Classification:  Downtown Redevelopment  
 Industrial Retention & Recruitment  
 Business Development  
 Tourism

Amount of request for financial assistance: \$ 75,000

Purpose of the organization: Property management, development and building company.

Purpose for use of funds: Professionally develop a site plan, assist with cost to retain and recruit tenants, and project marketing.

Please submit with this application:

1. A detailed outline of the project (no more than two pages)
2. A detailed budget of the specific project (Revenues, expenses, cash flows, etc.)
3. An analysis of the estimated community economic benefit of the project (one page max.)
4. A marketing plan for the project (if applicable) one page maximum

Nebraska City

**B. Project Information**

USES OF FUNDS	Total Project Costs	LB840 Funds	Entity Contribution	Additional Funds
	\$ <u>575,000</u>	\$ <u>75,000</u>	\$ <u>200,000</u>	\$ <u>375,000</u>

Source of Funds- Entity Contribution: cash and property equity

Source of Funds- Additional Funds: \_\_\_\_\_

The above information is accurate to the best of my knowledge and belief. The above information is provided to help you evaluate the feasibility of obtaining public financial assistance. I further authorize release of project information contained in this application.

Date: 7-3-2016 Printed applicant name: Green Lamb Properties LLC

Signature: 

Title: owner



City of Nebraska City

1409 Central Avenue  
Nebraska City, NE 68410-2223

HOME OF ARBOR DAY

Phone: 402-873-5515 Fax: 402-873-5685

REQUEST FOR COUNCIL AGENDA OR PUBLIC INFORMATION / RECORDS

Your request will be reviewed and possibly scheduled for a future meeting,  
or forwarded to City Staff for appropriate action\*

Name: Ryan + Heidi McConnell  
Address: 1537 N. 10<sup>th</sup> St.  
Phone #: 402-209-3298 / 402-366-0950  
Email Address: rmcconnell80@yahoo.com

CC: Police Dept.:      Street Dept.:      Park Dept.:      Other:     

**Item Title:**

**Explanation of Request:**

Presenting purchase agreements for Deer Trail Subdivision Lots '1A' and '1B', we are willing to negotiate the purchase price. We have been approved for a loan through American National Bank.

**Action Requested of Council:**

Consider selling these lots to us for the purpose of building a house using local builders and contractors.

Will this item require the expenditure of funds? Yes:      No:  Estimate \$     

Council meetings are held on the 1<sup>st</sup> & 3<sup>rd</sup> Mondays of the month. All requests for inclusion on a Council Meeting Agenda must be submitted by 5 P.M. on the Tuesday preceding the Council meeting. Once a request is received, staff will review it and determine if it requires Mayor/Council action, or if the item can be handled by staff.

\*You will be notified as to how your request will be handled as soon as possible.

For staff use only: Action Required.

Examination of Public Records are covered under Neb. Rev. State. §84-712 or other appropriate state statutes.

Fees: \$0.25 per page

Heidi & Ryan McConnell  
1537 North 10<sup>th</sup> Street  
Nebraska City, NE 68410

Nebraska City Council Members,

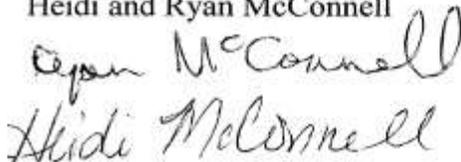
Good evening to all of those in attendance, we would like to introduce ourselves to the council this evening. My wife, Heidi and I met in 2012 and were married in 2014. Heidi and I were elated to have stumbled upon the four lots that are for sale. We've been searching for a bigger house or land to build on but it's very hard to find anything that will suit our needs and provide us a permanent residence to grow old together in. We both enjoy and love what Nebraska City has to offer and is a wonderful community to live in as well as to start and raise a family in. We currently have twin girls (Maeleigh & Ava) that were born in March of 2015 and are again adding to our family with another baby set to arrive this November. Heidi had to quit her job with the State of Nebraska as a Senior Parole Officer and is a full time stay at home Mom because we cannot put our girls in daycare due to their compromised immune systems from being born prematurely. I currently work for OPPD at Nebraska City Power Station as a control room operator and have been employed there for over 10 years.

We are here to submit an offer for lots '1-A' and '1-B' of the Deer Trail Subdivision. If we do get the opportunity to purchase the two lots, we plan on building a single family ranch style home as soon as possible; weather permitting. We would need to build a sizeable ranch to suit our oldest daughters' needs because we will not see the effects of her cerebral palsy until she matures for the next couple of years. We would have to build our home to accommodate her needs such as widened doorways, widened hallways, basement elevator and possibly a therapy room for her. We believe a future single family dwelling built on those two lots would be beneficial to the city to provide a continuous revenue stream via property taxes as well as keeping our everyday business and transactions local. We plan on using a local home builder and contractors for the construction of the house.

We thank all of you for your time and consideration.

Sincerely,

Heidi and Ryan McConnell

Handwritten signatures of Ryan McConnell and Heidi McConnell. The signature for Ryan is written above the signature for Heidi.

Nebraska City

THIS IS A LEGALLY BINDING AGREEMENT. IF NOT UNDERSTOOD, SEEK LEGAL ADVICE. The REALTOR® negotiating this Agreement is a member of the Nebraska REALTORS® Association and as such is governed by its Code of Ethics and Rules and Regulations.



RESIDENTIAL PURCHASE AGREEMENT

900 Central Avenue, Nebraska City, NE 68410
Bernard Real Estate (Firm and address) (date)

Agency Confirmation: The following agency relationship(s) are hereby confirmed for this transaction.

Agent (and license number): Heidi L. Bernard 20130158
of Bernard Real Estate (company)
(license number of designated broker) (402) 269-7478 (agent's cell)

Is the agent of: [ ] Seller exclusively [X] Buyer exclusively [ ] both the Buyer and Seller (Limited Dual Agent)

Agent (and license number):
of (company)
(license number of designated broker) (agent's cell)

Is the agent of: [ ] Seller exclusively [ ] Buyer exclusively [ ] both the Buyer and Seller (Limited Dual Agent)

The undersigned, as Buyer, agrees to purchase the following property on the following terms:

- 1. Address: Lots 1-A and 1-B Deer Trail Subd, Nebraska City, NE 68410
2. Legal Description: Lot 1 Armory 2nd ADD replat of N 200' Lot A & All Lot B Armo and Lot 1-B Deer Trail Subd A Replat of Lot 1 Armory 2nd ADD to NE Otoe County Assessor Parcel ID#'s-0001425000 & 999555292

3. Personal Property. The purchase price includes all fixtures permanently attached to the real estate. The personal property to be included is as follows:

4. Price and Financial Terms. Buyer agrees to pay \$ 30,000.00, on the following terms: an earnest money deposit of \$ 1,000.00 to be applied to the purchase price is paid herewith as shown by the receipt herein. If paid by check, it will be cashed upon acceptance. The earnest money will be transferred to: [X] escrow agent or [ ] listing broker. Balance to be paid per the following paragraph(s): B

[ ] A. Cash at Closing - No Financing Being Required: Balance of \$ shall be paid in cash, or by certified or cashier's check at time of closing. Buyer to provide Seller a letter from a government regulated depository showing evidence of said funds within 7 calendar days of acceptance of this offer or this offer shall be null and void with the earnest money forfeited to the Seller.

[X] B. Contingent Upon Loan: Balance of \$ 29,000.00 shall be paid in cash, or by certified or cashier's check at time of closing, contingent upon Buyer's ability to obtain a loan, to be secured by deed of trust, on above described Property in the amount of \$ 29,000.00. The loan shall be [ ] VA, [ ] FHA, [X] CONVENTIONAL, [ ] P.M.I., [ ] N.I.F.A., [ ] RURAL DEVELOPMENT OR with terms providing for an initial interest rate not to exceed 4.000 % per annum, plus mortgage insurance, if required, with a term of no less than 15 years. Buyer agrees to make application for the loan within 7 calendar days of acceptance of this offer, sign all papers, pay all costs, except as provided herein, and to establish escrow reserves for taxes and insurance if required by Lender. Buyer agrees to pay all loan fees, closing costs and prepaid items required by Lender (subject to paragraph 4C). If the original loan application is denied, the Buyer authorizes and shall instruct the Lender to immediately notify in writing all real estate licensees involved in the transaction. Upon written notice of denial by the lender, this Purchase Agreement shall be void and the earnest money will be refunded to Buyer (subject to paragraph 25) unless Seller and Buyer mutually agree in writing within five (5) calendar days from receipt of notification of loan denial that an additional loan application will be made or that additional loan information will be submitted to the original Lender. Seller shall have

City Council may hold a closed session by the affirmative vote of a majority of its voting members if a closed session is clearly necessary for the protection of the public interest or for the prevention of needless injury to the reputation of an individual and if such individual has not requested a public meeting. The subject matter and the reason necessitating the closed session shall be identified in the motion to close.

Nebraska City

the right to cancel this after 90 calendar days from the acceptance of this Agreement, unless they have received either a non-contingent loan commitment or a loan commitment with all contingencies satisfied. In the event of Seller's cancellation, the earnest money (subject to paragraph 25) shall be returned to the Buyer.

C. **Seller Contribution:** At closing, Seller shall pay or reimburse Buyer for the payment of Buyer's loan fees, closing costs, inspection fees and/or prepaid items as allowed by lender up to \$ \_\_\_\_\_ or \_\_\_\_\_ % of purchase price.

D. **Contingent Upon Closing:** This offer is Contingent upon Buyer first obtaining the proceeds from the closing of the Buyer's Property located at \_\_\_\_\_, scheduled to close on \_\_\_\_\_. If such closing does not occur on or before such date, this offer shall be null and void and the earnest money shall be returned to the Buyer (subject to paragraph 25).

E. **Contingent Upon Sale and Closing:** This offer is contingent upon the sale and closing of Buyer's property located at \_\_\_\_\_  
\_\_\_\_\_  
(See attached \_\_\_\_\_ Addendum).

F. **Assumption of Existing Loan, Seller Financing or Other Financing Terms.** (See attached \_\_\_\_\_ Addendum).

5. **Other Provisions.** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

6. **Title.** Seller agrees to convey marketable title to Buyer by warranty deed or \_\_\_\_\_ free and clear of all liens, encumbrances, special assessments levied or assessed and subject to all easements and restrictions or covenants now of record. Buyer shall be furnished a current title insurance commitment before closing and a title insurance policy insuring good and marketable title.

Title policy shall be:  ALTA basic owner's policy  ALTA expanded coverage

The cost of the title insurance shall be paid as follows:

- Title Insurance policy paid by: (select one)  Seller  Buyer  Divided equally
- Lenders Policy paid by: (select one)  Seller  Buyer  Divided equally
- Endorsements paid by: (select one)  Seller  Buyer  Divided equally

Buyer selects Otoe County Title-Lisa Hathaway 402-873-5501 as the title insurance company.

Buyer agrees that should a valid title defect exist, Seller has a reasonable time to correct said defect, not to exceed 30 calendar days from the date of the title commitment. If the title defects are not cured within such time frame, the Buyer may declare this Agreement null and void, and be entitled to full return of the earnest money (subject to paragraph 25). Seller agrees to pay any assessments for items such as paving, curbing, sidewalk or utilities previously constructed, now under construction, or ordered to be constructed by public authority not yet assessed. The documentary stamp tax shall be paid by the Seller.

7. **SID Disclosure.**  If checked, the property is located in a Sanitary Improvement District. Buyer understands: i) sanitary and improvement districts are located outside the corporate limits of any municipality; ii) residents of sanitary and improvement districts are not eligible to vote in municipal elections; and, iii) owners of property located within sanitary and improvement districts have limited access to services provided by nearby municipalities until and unless the property is annexed by the municipality.

Further disclosures are attached. [ ] [ ] (Buyers initial if checked)

8. **Condominium Disclosure.**  If checked, the property is a condominium unit. Buyer acknowledges receipt of the public offering statement or the declaration, the bylaws, the rules or regulations of the association and information required by 76-884 NRS unless such transfer is exempt under 76-878 NRS.

9. **Lead-Based Paint Disclosure.**  If checked, the house upon the property was built prior to 1978. Attached hereto is a statement, disclosure and acknowledgement regarding lead based paint which is incorporated herein by this reference.

City Council may hold a closed session by the affirmative vote of a majority of its voting members if a closed session is clearly necessary for the protection of the public interest or for the prevention of needless injury to the reputation of an individual and if such individual has not requested a public meeting. The subject matter and the reason necessitating the closed session shall be identified in the motion to close.

Nebraska City

10. **Seller Property Condition Disclosure.** Buyer acknowledges receipt of the Seller Property Condition Disclosure Statement dated \_\_\_\_\_.

11. **Condition of Property.** This Agreement is based upon Buyer's personal inspection or investigation of Property and not upon any representation or warranties of condition by Seller or any Agent involved in this transaction. If finished square footage, location of property lines, age, school district, lot size, condition of improvements or any other factor is important to Buyer's decision to purchase, Buyer acknowledges he has been advised to make independent investigation. Buyer agrees to accept Property in its present condition, except as provided in this Agreement.

12. **Inspections.** (check one)

**Buyer Waives All Inspections:** Buyer accepts the property "AS IS". However, Buyer does not waive, release or relinquish any right or claim Buyer may have by reason of any misrepresentation or fraudulent concealment by Seller.

OR

**Contingent Upon Inspection:** This offer is Contingent upon Buyer obtaining proof of insurability and any inspections of the real estate and personal property to be sold. All inspections are at Buyer's expense unless contrary to Paragraph 4C. All requested inspections must be completed by the inspection deadline. Buyer shall have ten (10) calendar days from date of acceptance to complete inspections (inspection deadline). Buyer shall have three (3) calendar days after the inspection deadline, to give written notice to the Seller of any unsatisfactory conditions of the property (notice deadline). Buyer and Seller shall have five (5) calendar days from the notice deadline to resolve any unsatisfactory condition(s) in writing (resolution deadline). If the Buyer fails to give notice by the notice deadline then the Buyer agrees to accept the property "AS IS". However, Buyer does not waive, release or relinquish any right or claim Buyer may have by reason of any misrepresentation or fraudulent concealment by Seller. If Buyer gives notice of unsatisfactory conditions by the notice deadline and Buyer and Seller fail to resolve the unsatisfactory conditions in writing by the resolution deadline then this agreement is null and void.

Inspections may include, **but are not limited to,** the following: **Home, Radon , Well & Septic, Survey, Roof, HVAC, Electrical, Plumbing, Structural, Mold, Flood Plain , Insurability/CLUE, Sex Offender Registry**

If checked, Buyer requests a termite and wood destroying insect inspection of the property and all buildings thereon at Buyer's expense. Cost of said inspection to be paid by Seller in the event of a VA Loan. Should evidence of termites or wood destroying insects be found, the property shall be treated at Seller's expense by a commercially licensed applicator who has met the certification requirement of the Nebraska Pesticide Act for treatment of termites and wood destroying insects. If visible evidence of previously treated infestation, which is now inactive, is found, treatment shall not be required. Should damage from such insects be found, the damage shall be corrected at Seller's expense. However, if the cost required for repairs exceeds 1% of the purchase price, either Seller or Buyer may rescind this agreement.

13. **Utilities.** Seller agrees to have the following utilities turned on, if not currently on, for inspections and/or appraisal.

Electric       Gas       Water       Other \_\_\_\_\_

14. **Access to Property.** Seller shall provide reasonable access to Buyer, Buyer's inspectors or agents to timely fulfill this Agreement and to representatives of Buyer's lender to accommodate financing.

15. **Compliance with Law.** Seller shall comply with all federal, state and local laws applicable to the sale or transfer of the property, including but not limited to installing smoke detectors.

16. **Maintenance/Repairs/Replacements, Cost to Seller.** Seller agrees to maintain the property in its condition on the date hereof until initial delivery of possession which maintenance shall include, but not be limited to: the building, heating, air conditioning, water heater, sewer, plumbing, electrical system, underground sprinkler system, personal property, lawn care and snow removal.

17. **Final Walk Through.** Buyer shall have the right to make a final inspection of the property prior to closing to assure that all conditions of this Agreement have been met.

18. **Responsibility of Insurance and Risk of Loss.** Seller shall insure the property for fire, wind, hail, explosion, water or any other cause at no less than purchase price until closing. Risk of loss or damage to Property, prior to closing, shall be the responsibility of Seller. If prior to closing the structure on the Property is materially damaged, Seller shall immediately notify the Buyer in writing of the damage. Buyer, at Buyer's choice, may: 1) Rescind this Agreement OR 2) Take the property subject to the damage with the Seller paying to the Buyer the insurance proceeds and deductible for the restoration of the property or at a price discounted by the cost of restoration of the premises.

City Council may hold a closed session by the affirmative vote of a majority of its voting members if a closed session is clearly necessary for the protection of the public interest or for the prevention of needless injury to the reputation of an individual and if such individual has not requested a public meeting. The subject matter and the reason necessitating the closed session shall be identified in the motion to close.

Nebraska City

19. Home Warranty Acknowledgement: Buyer has been advised of the availability of a Home Warranty, and selects the following:

Home warranty accepted and paid by \_\_\_\_\_  
Plan Selected \_\_\_\_\_; Cost is \$ \_\_\_\_\_

Home warranty coverage declined by Buyer.

**New Construction:** New construction shall have the warranties implied by law, specifically made by suppliers of materials/appliances, or specifically tendered by the contractor. The BROKER and its AGENTS make no warranties as to the quality of construction or materials.

20. Real Estate Taxes and Prorations. Seller shall pay all taxes for the years prior to the year of closing. Taxes for the year of closing together with interest, rents and homeowners' association dues, prepaid utilities and heating fuel, if any, shall be prorated to the date of closing. Taxes shall be prorated based upon the county assessor's valuation at the date of closing and the most recently certified mill levy.

21. Closing and Possession. The closing of the sale shall be on the \_\_\_\_\_ day of \_\_\_\_\_. Possession of Property shall be given upon closing. This Agreement shall in no manner be construed to convey the Property or to give any right of possession.

22. Escrow Closing. Buyer and Seller agree that the closing of the sale may be handled by an escrow agent. If so, any broker holding the earnest money or other trust funds is authorized to transfer such items to the escrow agent. All documents and other items received by any broker in connection with the sale shall also be transferred to the escrow agent. After the transfer, a broker shall have no further responsibility or liability to Buyer or Seller to account for funds or preparation of documents in connection with the closing of the sale. Escrow agent will not be required to disburse funds, deliver or record any documents until it has received sufficient certified funds or equivalent and all terms of this Agreement have been satisfied.

Escrow closing charges shall be equally divided between Buyer and Seller. If Buyer's loan is a government-regulated loan, which prohibits Buyer from paying such fees, they shall be paid by Seller.

23. Compensation. Buyer agrees to pay selling broker compensation of \$ none at closing. The compensation will be collected in all cases except (a) if Buyer secures a loan to purchase the Property that does not allow Buyer to pay such compensation or (b) buyer has previously agreed to pay selling broker fixed compensation pursuant an agreement entered into with selling broker. If this compensation is paid by Buyer to selling broker, Seller and Buyer agree that selling broker, which may be the same as the listing broker, may collect compensation from both Seller and Buyer.

24. Counterparts, E-Mail, and Fax Transmission. This Agreement may be executed in one or more counterparts, each of which is deemed to be an original hereof, and all of which shall together constitute one and the same instrument. The facsimile or e-mail transmission of a signed copy hereof or any counter offer to the other party or their agent with confirmation of transmission shall constitute delivery. The parties agree to confirm delivery by mail or personal delivery of a signed copy to the other party or their agent.

25. Default, Rescission, Failure of Contingency or Termination. If Buyer defaults on the performance of this Agreement, Seller may, at Seller's option, retain the earnest money as liquidated damages for such failure, or utilize such other legal remedies as are available to Seller by reason of such failure. If this Agreement is void by failure of contingency or is rescinded or terminated by either party without fault as allowed hereby, each party shall bear their costs and the earnest money shall be refunded to the Buyer.

26. Do Not Call Provision. Seller and Buyer authorize telephone, facsimile and other electronic means of contact by individuals on behalf of the Seller's broker and Buyer's broker, if different, as well as other service providers in the transaction.

27. Addenda. The attached addenda shall be made a part of the Purchase Agreement. (List Addenda) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ (Seller \_\_\_\_\_ / \_\_\_\_\_ Buyer \_\_\_\_\_ / \_\_\_\_\_)

28. Acceptance Date. This offer shall expire on \_\_\_\_\_ (date) at \_\_\_\_\_ o'clock \_\_\_\_\_, (hour in the time zone of the office of the Seller's agent) and be automatically null and void unless prior to the time of expiration, Seller's written acceptance is delivered to the Buyer's limited agent or their Broker's office or the Buyer.

City Council may hold a closed session by the affirmative vote of a majority of its voting members if a closed session is clearly necessary for the protection of the public interest or for the prevention of needless injury to the reputation of an individual and if such individual has not requested a public meeting. The subject matter and the reason necessitating the closed session shall be identified in the motion to close.

Nebraska City

29. Mediation and Arbitration.  [If checked]

- (a) **Disputes.** The term "Dispute" shall include, without limitation, any controversy, complaint, dispute, claim or disagreement relating to or arising out of the brokerage relationship or the construction, interpretation, enforcement, or breach of the terms of this Agreement.
- (b) **Mediation.** In the event of any Dispute, any party to the Dispute may seek non-binding mediation in an attempt to resolve the Dispute by giving 15 days written notice of a request for such mediation to all other parties to the Dispute. The request for mediation must be made within 360 days after the party making the request knew, or exercising reasonable diligence and care, should have known, of the Dispute. In no case shall such request be made after the statute of limitations on a civil suit based on the Dispute would have run. Such mediation shall be held in Nebraska. Such mediation may be administered by the American Arbitration Association and shall be conducted according to the American Arbitration Association's Commercial Rules-Real Estate Industry Arbitration Rules (Including a Mediation Alternative) or such other mediation service versed in real estate practices of the locality.
- (c) **Arbitration.** Any Dispute that is not resolved by informal settlement or mediation shall be resolved exclusively by binding arbitration. Such arbitration shall be held in Nebraska. Such arbitration shall be administered by the American Arbitration Association and shall be conducted according to the American Arbitration Association's Commercial Rules-Real Estate Industry Arbitration Rules (Including a Mediation Alternative). The arbiter(s) shall apply Nebraska substantive and procedural law to the arbitration proceeding. Arbitration shall be commenced by written demand made by any one or more of the parties to the Dispute given to all other parties to the Dispute. The demand for arbitration must be in writing and must be given by personal delivery or certified mail, return receipt requested, within 360 days after the party making the demand knew, or exercising reasonable diligence and care, should have known, of the Dispute. Notwithstanding the previous sentence, in the case that the parties unsuccessfully attempt mediation to resolve a Dispute, the demand for arbitration shall be made within 60 days of the final mediation session. However, in no case shall such demand be made after the statute of limitations on a civil suit based on the Dispute would have run. The prevailing party shall be entitled to costs and fees of the arbitration and, in the discretion of the arbitrator who shall take into account the relative merits of the opponent's case, the arbiter may award attorney's fees to the prevailing party.
- (d) **Provisional Remedies.** The filing of a judicial action to enable the reporting of a notice of pending action, for order of attachment, receivership, injunction, or other like provisional remedies, shall not constitute a waiver of mediation or arbitration under this provision, nor shall it constitute a breach of the duty to arbitrate.
- (e) **Exclusions.** The terms of paragraph 29 shall not apply to:
  - (1) Any complaint of violation of the Code of Ethics of the National Association of REALTORS®;
  - (2) Foreclosure or other action or proceeding to enforce a deed of trust, mortgage or land contract; or
  - (3) The filing or enforcement of a construction or similar lien.
  - (4) An action filed and held in "Small Claims Court" as defined in Neb. Rev. Stat. 25-2801 to 25-2804, provided, however, any attempt to transfer a matter filed in small claims court to county court shall be subject to paragraph 30.
- (f) **Waiver.** BY SIGNING THIS PURCHASE AGREEMENT, THE PARTIES AGREE THAT EVERY DISPUTE DESCRIBED ABOVE THAT IS NOT RESOLVED BY INFORMAL SETTLEMENT OR MEDIATION WILL BE DECIDED EXCLUSIVELY BY ARBITRATION AND THAT ANY ARBITRATION DECISION WILL BE FINAL AND BINDING. THE PARTIES AGREE THAT THEY WILL RECEIVE ALL THE RIGHTS AND BENEFITS OF ARBITRATION, BUT ARE GIVING UP RIGHTS THEY MIGHT HAVE TO LITIGATE THOSE CLAIMS AND DISPUTES IN A COURT OR JURY TRIAL, OR TO PARTICIPATE AS A REPRESENTATIVE OR MEMBER OF ANY CLASS OF CLAIMANTS IN CONNECTION WITH ANY SUCH DISPUTES. NO PARTY TO THIS AGREEMENT SHALL BE ENTITLED TO JOIN OR CONSOLIDATE DISPUTES BY OR AGAINST OTHERS IN ANY ARBITRATION, OR TO INCLUDE IN ANY ARBITRATION ANY DISPUTE AS A REPRESENTATIVE OR MEMBER OF A CLASS, OR TO ACT IN ANY ARBITRATION IN THE INTEREST OF THE GENERAL PUBLIC OR IN ANY PRIVATE ATTORNEY GENERAL CAPACITY.

30. **Entire Agreement.** This document contains the entire Agreement of the parties and supersedes all prior Agreements or representations oral or written with respect to the Property which are not expressly set forth herein or incorporated herein by reference. This Agreement may be modified only in writing, signed and dated by both parties. All express representations and warranties shall survive closing. Both parties acknowledge that they have not relied on any statements of the real estate agent or broker which are not herein expressed. "Buyer" shall be one or more. "Seller" shall be one or more. Whenever required by context, singular shall include the plural, the plural the singular, and one gender shall include all genders. Time is of the essence in this Agreement.

City Council may hold a closed session by the affirmative vote of a majority of its voting members if a closed session is clearly necessary for the protection of the public interest or for the prevention of needless injury to the reputation of an individual and if such individual has not requested a public meeting. The subject matter and the reason necessitating the closed session shall be identified in the motion to close.

Nebraska City

31. Authority to Sign. The undersigned Seller(s) and Buyer(s) each represent and warrant that they are duly empowered and/or authorized, whether individually, on behalf of any entity or as a fiduciary, to enter into this Purchase Agreement and create a valid and binding contract. Seller represents all parties required to transfer title to the Property are parties to this contract.

Buyer reserves the right to withdraw this Offer prior to acceptance. Withdrawal shall be complete if verbal notification of withdrawal is made to the Seller's Limited Agent or Broker of the Seller's Limited Agent or the Seller before the delivery of Seller's written acceptance.

**IF PARAGRAPH 29 IS CHECKED, THIS CONTRACT CONTAINS AN ARBITRATION PROVISION WHICH MAY BE ENFORCED BY THE PARTIES**

BUYER \_\_\_\_\_ Ryan McConnell DATE \_\_\_\_\_

BUYER \_\_\_\_\_ Heidi McConnell DATE \_\_\_\_\_

ADDRESS \_\_\_\_\_ ZIP \_\_\_\_\_ PHONE \_\_\_\_\_

NAMES FOR DEED: Ryan & Heidi McConnell

Check one:  JTWROS  Tenants in common  Other \_\_\_\_\_

Check one:  Husband and Wife  Single Person  Other \_\_\_\_\_

**RECEIPT FOR EARNEST MONEY**

RECEIVED FROM: \_\_\_\_\_ Ryan & Heidi McConnell \_\_\_\_\_ the sum of \$ 1,000.00 \_\_\_\_\_ by

check  cash  other \_\_\_\_\_ to apply to the purchase price of the Property on terms and conditions as stated. In the event this offer is not accepted by the Seller of the Property within the time specified the earnest money shall be refunded.

\_\_\_\_\_ Bernard Real Estate \_\_\_\_\_ REALTORS® By: \_\_\_\_\_ Heidi L. Bernard

Complete only one of A, B or C below:

A: **Acceptance of All Terms:** Seller accepts all of the terms of the above Agreement and agrees to perform all of its terms.

**IF PARAGRAPH 29 IS CHECKED, THIS CONTRACT CONTAINS AN ARBITRATION PROVISION WHICH MAY BE ENFORCED BY THE PARTIES**

_____ Seller	_____ Date	_____ Seller	_____ Date
_____ Seller	_____ Date	_____ Seller	_____ Date

B: **Counter Offer #1 By Seller:** In response to the above Purchase Agreement dated \_\_\_\_\_ for the sale of the Property, all of the terms and conditions of the Purchase Agreement are accepted and shall remain the same with the exception of the following:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

City Council may hold a closed session by the affirmative vote of a majority of its voting members if a closed session is clearly necessary for the protection of the public interest or for the prevention of needless injury to the reputation of an individual and if such individual has not requested a public meeting. The subject matter and the reason necessitating the closed session shall be identified in the motion to close.

Nebraska City

This Counter Offer shall expire \_\_\_\_\_ (date), at \_\_\_\_\_ o'clock \_\_\_\_\_ (hour in the time zone of the office of the Seller's agent) and be automatically null and void unless, prior to the time of expiration, Buyer's written acceptance is delivered to the Seller's Limited Agent or their Broker's office or the Seller.

If this Counter Offer is accepted, the Purchase Agreement as amended by this Counter Offer shall become a contract between the parties.

Seller reserves the right to withdraw this Counter Offer prior to acceptance. Withdrawal shall be complete if verbal notification of withdrawal is made to the Buyer's Agent or Broker of the Buyer's Agent or Buyer before the delivery of Buyer's written acceptance.

\_\_\_\_\_  
Seller Date Seller Date

accept  reject this Counter Offer \_\_\_\_\_ (date), at \_\_\_\_\_ o'clock \_\_\_\_\_

\_\_\_\_\_  
Buyer Date Buyer Date

C: **Rejection:** The foregoing offer is rejected.

\_\_\_\_\_  
Seller Date Seller Date

**RECEIPTS FOR FULLY EXECUTED PURCHASE AGREEMENT**

Buyer acknowledges receipt of executed copy of this Agreement.

\_\_\_\_\_  
(Buyer) Date (Buyer) Date

Seller acknowledges receipt of executed copy of this Agreement.

\_\_\_\_\_  
(Seller) Date (Seller) Date

# CITY OF NEBRASKA CITY

1409 Central Avenue  
Nebraska City, NE 68410-2223  
Phone: 402-873-5515  
Fax: 402-873-5685



## Agenda Information Support Sheet

To: Mayor and Commissioners

Council Meeting: August 1, 2016

Agenda Item: #

Submitted By: Dan Mauk, NCAEDC Director  
Dave Partsch, City Attorney  
Grayson Path, City Administrator

**A. Synopsis of Issue:**

- a. Following Governing Body direction, the Economic Development Plan was presented to the CARC for discussion on Monday, July 26, 2016.
- b. In addition, Commissioner Glover has provided comment.
- c. The edits agreed upon have been added to the Plan document.
- d. Governing Body to review the updated draft of the Economic Development Plan and provide additional comment and approval for completion for a public hearing on August 15<sup>th</sup>.

**B. Options:**

- a. Approve the changes made by CARC and Commissioner Glover, or a mixture of them.
- b. Reject all changes.
- c. Make additional changes along with or in place of the above options.
- d. In addition to the above options, approve the plan for completion in preparation for a public hearing on August 15<sup>th</sup>.
- e. Request that changes be made and brought back to the next Council Meeting on August 15<sup>th</sup> with a public hearing to be scheduled later.
- f. Other options as determined by the Governing Body.

**C. Fiscal Note:**

- a. N/A

**D. Recommendation:**

- a. Make and/or approve edits to the Plan and authorize staff to complete a final document for public hearing on August 15<sup>th</sup>.

**E. Background:**

- a. Staff met with Commissioner Glover and CARC on Monday, July 26, 2016. Very productive meeting. CARC and Commissioner Glover edits have been incorporated.
- b. Document has been edited for formatting, table of contents, etc.
- c. Added Appendix B for the workplace housing as required by 18-2710.02.

\*\*\*\*\*

Department Heads: Submit this form to Dave Partsch and Grayson Path by 5:00 pm of the day the Agenda meeting is held.

Nebraska City

# CITY OF NEBRASKA

# CITY

# ECONOMIC

# DEVELOPMENT

# PLAN

*"Renewing the  
Nebraska City Local Option Economic Development Plan (LB-840)"*

2017 - 2027

**Draft # 2, 2016.07.27**

**City Council:** Mr. Bryan Bequette, Mayor  
Mr. Jeff Crunk  
Mr. Vic Johns  
Mrs. Gloria Glover

**City Administrator:** Mr. Grayson Path

**City Attorney:** Mr. David Partsch

**CITY OF NEBRASKA CITY, NEBRASKA**

City Council may hold a closed session by the affirmative vote of a majority of its voting members if a closed session is clearly necessary for the protection of the public interest or for the prevention of needless injury to the reputation of an individual and if such individual has not requested a public meeting. The subject matter and the reason necessitating the closed session shall be identified in the motion to close.

Nebraska City  
**ECONOMIC DEVELOPMENT PLAN**

**Contents**

CITY OF NEBRASKA CITY, NEBRASKA .....	36
COMMUNITY ECONOMIC DEVELOPMENT PLAN .....	36
GENERAL COMMUNITY AND ECONOMIC DEVELOPMENT STRATEGY .....	36
STATEMENT OF PURPOSE - PROGRAM GENERAL INTENT .....	37
ELIGIBLE ACTIVITIES .....	38
QUALIFYING BUSINESSES .....	39
BUDGET .....	40
Proposed Funds to be Allocated and Length of Time the Plan Will Exist .....	40
Preliminary Budget for Ten Year Program: .....	41
Funding Expenditures .....	42
BOND AUTHORITY .....	42
ECONOMIC DEVELOPMENT FUND .....	42
NOW KNOWN AS “NEBRASKA CITY GROWTH FUND” .....	42
Revolving Loans .....	42
Auditing and Verification .....	43
Application Process.....	43
ADMINISTRATION .....	45
Process to Insure Confidentiality of Business Information Received.....	46
Appendix A .....	48
Appendix B .....	50

City Council may hold a closed session by the affirmative vote of a majority of its voting members if a closed session is clearly necessary for the protection of the public interest or for the prevention of needless injury to the reputation of an individual and if such individual has not requested a public meeting. The subject matter and the reason necessitating the closed session shall be identified in the motion to close.

## **CITY OF NEBRASKA CITY, NEBRASKA**

### **COMMUNITY ECONOMIC DEVELOPMENT PLAN**

---

Nebraska's voters enacted a constitutional amendment in 1990 granting cities and villages the power to use local sources of revenue for economic or industrial projects and programs. In 1991, the Unicameral implemented this amendment with the passage of Legislative Bill 840, the Local Option Municipal Economic Development Act. In 2006, Nebraska City voters approved a local plan for a period of ten years. This 2016 plan is an amendment and extension of the 2006 plan.

The Local Option Municipal Economic Development Act ("LB840") is based on the premise that communities should use their own tax dollars in ways that best meet local needs. While ongoing planning processes in many towns have identified development, job creation, and increased economic opportunity as their highest priority for the future, a variety of constitutional and legislative prohibitions kept them from investing local public funds in development programs. The removal of these limitations, gives municipalities greater latitude in determining and acting upon local needs.

As many rural communities have witnessed population declines and a loss of younger people, they have thought about their futures and the types of actions and investments needed to reverse these trends. At the same time, smaller towns and cities are beginning to realize a period of significant opportunity. In a period of uncertainty, complexity, and growing concern about the problems and quality of urban life, including cost and relative safety, the advantages offered by the smaller cities have become uniquely attractive. At the same time, the revolution in information and communication technology as well as goods distribution has reduced the isolation of small towns. As a result, it is increasingly possible and desirable to operate a significant business in growth areas outside of major urban centers.

### **GENERAL COMMUNITY AND ECONOMIC DEVELOPMENT STRATEGY**

Nebraska City's community and economic development strategy involves building on our strengths to promote existing businesses and industries, capturing the influx of outside monies through tourism, retaining jobs, and recruiting new businesses and industries providing additional jobs to the community. The principal strategy is directed at maintaining an excellent quality of life for our citizens, building a strong workforce, developing community resources, attracting new capital investment, encouraging tourism and commerce, preserving the historic nature of the downtown business district while encouraging new and innovative business development, broadening the community's tax base and ensuring economic stability and viability for Nebraska City.

Economic diversification will continue to be a critical priority for Nebraska City's economic development program. Diversification will be strengthened by the recruitment of new businesses and industries from outside the city as well as development of new and existing businesses and industries inside the city, particularly small business. A small business development program establishes a nurturing environment for entrepreneurs and small business and identifies Nebraska City as a center for economic

City Council may hold a closed session by the affirmative vote of a majority of its voting members if a closed session is clearly necessary for the protection of the public interest or for the prevention of needless injury to the reputation of an individual and if such individual has not requested a public meeting. The subject matter and the reason necessitating the closed session shall be identified in the motion to close.

## Nebraska City

opportunity. This atmosphere, in turn, can encourage people with exceptional skills and novel ideas to move or return to Nebraska City to develop unique businesses which develop community resources and attract new capital investment.

In addition to new business and industry recruitment, the City seeks to retain and create job opportunities by promoting and helping existing businesses and industries in the city to expand their markets and compete more successfully. The successful marketing of Nebraska City as a center for opportunity is important to the city's effort to expand its workforce, attract new residents and further enhance quality of life for all citizens.

Similar to business and industry strengths, the City's well-developed brand promotes tourism and commerce and must be constantly strengthened and encouraged. This element of our community creates an influx of monies that prove vital to many of our small businesses and service entities. The successful marketing of Nebraska City as a center for tourism and commerce is important to the City's development efforts.

Improving and protecting the appearance, value, and function of downtown properties is crucial to making Nebraska City attractive to tourists, small business owners, and even large industry professionals. Therefore, in pursuing economic development the City's efforts will seek to enhance the downtown's appeal and character by preserving the unique character of downtown Nebraska City, complementing the existing historic architecture and art, enhancing residential living opportunities and the pedestrian orientation of downtown Nebraska City, and communicating the community's vision for the downtown area as one that draws visitors and residents for unique shopping and entertainment experiences.

The City of Nebraska City recognizes that the attraction of new businesses and industries, as well as the retention and expansion of existing businesses and industries, takes place in a very competitive market place. In order to keep Nebraska City as competitive as possible in that market place, thus ensuring its economic stability and viability, the community must strive to use all financial and human resources available in partnerships using federal, state, municipal and private resources.

### **STATEMENT OF PURPOSE - PROGRAM GENERAL INTENT**

Knowing that population growth and economic diversification is key to the continued growth and prosperity of Nebraska City, the intent of the City of Nebraska City is to implement an aggressive Economic Development Program. This Economic Development Program shall include the creation of the Nebraska City Growth Fund to finance this program. The primary purpose and goals of the Nebraska City Growth Fund shall be:

- To diversify the local economic base;
- To broaden the local tax base;
- To support the retention and expansion of our existing business and industry base;
- To encourage the attraction of new businesses and industries to the region;
- To assist with downtown redevelopment and revitalization;
- To assist further development of our tourism related businesses;

City Council may hold a closed session by the affirmative vote of a majority of its voting members if a closed session is clearly necessary for the protection of the public interest or for the prevention of needless injury to the reputation of an individual and if such individual has not requested a public meeting. The subject matter and the reason necessitating the closed session shall be identified in the motion to close.

## Nebraska City

- To expand the workforce by creating new and retaining employment opportunities that offer attractive wage and benefit packages for local residents and our region's young people;
- To foster new capital investment in the region;
- To foster development that maintains and improves the quality of life for area residents;
- To develop community resources.

Every effort will be made to support projects that will have the greatest long-term economic impact on Nebraska City.

If approved by Nebraska City voters, this renewal and revision of the Economic Development Program and the Nebraska City Growth Fund will be established upon adoption of the ordinance formally adopting the Economic Development Plan and will end ten (10) years later.

### **ELIGIBLE ACTIVITIES**

The eligible activities described below are considered priority activities for the use of funds generated under the Local Option Municipal Economic Development Act. The City of Nebraska City recognizes that the attraction of new businesses to a community and the expansion of existing businesses takes place in a very competitive market place. In order to keep Nebraska City as competitive as possible in that market place, and to facilitate the creation of new jobs in the area, the City includes as eligible activities all activities allowable by law.

#### Eligible Activities:

1. Job credits for full-time positions created, including grants and loans denominated as job credits which are subject to job credit performance requirements and recapture provisions;
2. Investment credits for projects requiring major capital investments, including grants and loans denominated as investment credits which are subject to job credit performance requirements and recapture provisions;
3. Direct loans, including performance-based loans, to qualifying businesses for fixed assets and/or working capital;
4. Loan guarantees for qualifying businesses;
5. Grants or loans for public works improvements essential to the location or expansion of a qualifying business
6. Direct loans, including performance-based loans, for job training
7. The purchase of real estate and personal property, options for such purchases and the renewal or extensions of such options for qualifying businesses, without regard to whether any business is identified at the time;
8. The conveyance of real and personal property to qualifying businesses at reduced or no cost;
9. Relocation incentives for new residents;
10. Construction and equipping of buildings for qualifying businesses, without regard to whether any business is identified at the time;
11. The provision of technical assistance to qualifying businesses;
12. Payments to either public or private entities to support the development of qualifying businesses;
13. Expenses associated with marketing, promotional and recruitment campaigns;

City Council may hold a closed session by the affirmative vote of a majority of its voting members if a closed session is clearly necessary for the protection of the public interest or for the prevention of needless injury to the reputation of an individual and if such individual has not requested a public meeting. The subject matter and the reason necessitating the closed session shall be identified in the motion to close.

## Nebraska City

14. Grants or loans for the construction or rehabilitation for sale or lease of housing for market rate workforce housing;
15. Purchase of Community Redevelopment Revenue Bonds issued by any municipality in Otoe County or within thirty (30) miles of Nebraska City;
16. Expenses for locating qualifying businesses into the area;
17. The issuance of bonds used to carry out the activities of the Economic Development Program as outlined in the Local Option Municipal Economic Development Act, including any future amendments or changes to the Act;
18. Contracting with an outside entity to implement and administer the Economic Development Program including the employment of experts to engage in studies, surveys and any other activity that will lead to advice and recommendations to enhance the plan's success;
19. Production of films, including feature, independent and documentary films, commercials and television programs.

### **QUALIFYING BUSINESSES**

For the purposes of this Program, qualifying businesses shall include any corporation, partnership, Limited Liability Corporation or sole proprietorship, which derives its principal source of income from:

1. The manufacture of articles of commerce;
2. The conduct of research and development;
3. The processing, storage, transport, or sale of goods or commodities which are sold or traded in interstate commerce;
4. The sale of services in interstate commerce;
5. Headquarters of facilities relating to eligible activities;
6. Telecommunications activities, including services providing advanced telecommunications capability;
7. Tourism-related activities;
8. Production of films, including feature, independent, and documentary films, commercials, and television programs;
9. Retail trade; however, no more than 40 percent (40%) of tax revenues under this program in any 12-month period, nor more than 20 percent (20%) in any five-year period, of program funds shall be used for retail trade businesses;
10. The construction or rehabilitation of housing, either for workforce, market rate housing or for populations with low to moderate incomes as allowed by statute;
11. Any other eligible activities as allowed by the Local Option Municipal Economic Development Act, as may be amended.

Qualifying businesses must certify whether they have filed or intend to file an application with the Department of Revenue to receive tax incentives under the Nebraska Advantage Act for the same project for which the qualifying business is seeking financial assistance under the Economic Development Program; whether such application includes or will include, as one of the tax incentives, a refund of the City's local option sales tax revenue; and whether such application has been approved under the Nebraska Advantage Act. The City may consider the information provided in determining whether to provide financial assistance to the qualifying business under this Economic Development Program.

**City Council may hold a closed session by the affirmative vote of a majority of its voting members if a closed session is clearly necessary for the protection of the public interest or for the prevention of needless injury to the reputation of an individual and if such individual has not requested a public meeting. The subject matter and the reason necessitating the closed session shall be identified in the motion to close.**

## Nebraska City

If a qualifying business employs people and carries on activities in more than one municipality in Nebraska or will do so at any time during the first year following its application for participation in the Nebraska City Growth Fund, it shall be considered a qualifying business only if, in each such city of operation, it maintains employment for the first two years following the date on which such business begins operations in the City as a participant in the Nebraska City Growth Fund at a level not less than its average employment in such city over a twelve-month period preceding participation.

Qualifying businesses for the Nebraska City Growth Fund need not be located within the City of Nebraska City or its extra-territorial zoning jurisdiction. Qualifying businesses within Otoe County that provide clear economic benefits to the Nebraska City community may request assistance from the Nebraska City Growth Fund.

Qualifying businesses may apply for, and receive support from, the Nebraska City Growth Fund on more than one occasion.

“Qualifying business” does not include a political subdivision, a state agency, or any other governmental entity.

## **BUDGET**

This section describes a preliminary source of funds and budget for Nebraska City’s economic development program. It is important to note that this budget must be developed annually and may be modified from time to time by the City Council. It is impossible to anticipate every condition or requirement; the Program Administrator, Citizen Advisory Review Committee and the city council, should maintain the flexibility within the Economic Development Plan to respond to specific requirements and opportunities on a short-term basis.

### **Proposed Funds to be Allocated and Length of Time the Plan Will Exist**

The funding for the Nebraska City Growth Fund will be an allocation by the City of a portion of the existing local option sales tax. The portion of the existing local option sales tax to be allocated to the Fund will be calculated as follows:

- Provided that the City collects at least \$1,700,000 in such sales tax revenue, then each October, 12% of the prior fiscal year’s first 1.5 cent local option sales tax revenue. If the

City Council may hold a closed session by the affirmative vote of a majority of its voting members if a closed session is clearly necessary for the protection of the public interest or for the prevention of needless injury to the reputation of an individual and if such individual has not requested a public meeting. The subject matter and the reason necessitating the closed session shall be identified in the motion to close.

Nebraska City

fiscal year revenue collected is less than \$1,700,000, the percent allocated to the Nebraska City Growth Fund shall be decreased by 1<sup>1</sup>/<sub>3</sub>% for every \$50,000 interval less collected in sales tax.

- Examples:
  - If annual revenue is –
    - 1,299,999 or less, no monies are transferred to the Fund
    - 1,300,000 or greater and less than 1,350,000, 1.36% is transferred to the Fund
    - 1,350,000 or greater and less than 1,400,000, 2.69% is transferred to the Fund
    - 1,400,000 or greater and less than 1,450,000, 4.02% is transferred to the Fund
    - 1,500,000 or greater and less than 1,550,000, 5.35% is transferred to the Fund
    - 1,550,000 or greater and less than 1,600,000, 6.68% is transferred to the Fund
    - 1,600,000 or greater and less than 1,650,000, 9.34% is transferred to the Fund
    - 1,650,000 or greater and less than 1,700,000, 10.67% is transferred to the Fund
    - 1,700,000 or greater, 12% is transferred to the Fund.

Funds from repayment of loans, return on investments, fees for activities such as loan guarantees and proceeds from sales of property may also be used for activities allowed under this Economic Development Program.

The City of Nebraska City shall maintain the Nebraska City Growth Fund. Investment of the Nebraska City Growth Fund shall be made in compliance with all relevant statute and regulations.

**Preliminary Budget for Ten Year Program:**

Annual Income:

Sales Taxes Allocated to Nebraska City Growth Fund ..... \$250,000

Annual Expenses:

Expenses for Eligible Activities ..... \$250,000

This preliminary budget is subject to revisions from time to time by the Citizens Review Committee depending upon changing community needs and projections.

Upon approval by the voters and enactment by the City, this allocation will remain in force for a period of ten years. The local option sales tax allocation to the Nebraska City Growth Fund pursuant to this Economic Development Program will end after ten (10) years unless renewed by the voters. Uncommitted funds and revenues including but not limited to repayment of loans, return on investments, fees for activities such as loan guarantees, and sales proceeds from properties, may continue to be used for activities contained within the Economic Development Program for an additional ten (10) year period. City Council may hold a closed session by the affirmative vote of a majority of its voting members if a closed session is clearly necessary for the protection of the public interest or for the prevention of needless injury to the reputation of an individual and if such individual has not requested a public meeting. The subject matter and the reason necessitating the closed session shall be identified in the motion to close.

## Nebraska City

Upon termination of the program any unused or uncommitted funds will be returned to the City for property tax reduction.

### **Funding Expenditures**

All necessary Fund Administration expenses shall be paid from the Nebraska City Growth Fund, but shall be capped at no more than 10% of the prior fiscal year's funding allocation.

### **BOND AUTHORITY**

Nebraska City may have business opportunities or other economic development projects that require initial funds exceeding the single year allocation of the local option sales tax. In order to take advantage of such opportunities, Nebraska City will have the ability to issue bonds, the principal and interest thereof being payable out of the Nebraska City Growth Fund. The City Council may authorize the issuance of bonds to carry out the economic development program, following the procedures laid out in state statute for the issuance of bonds under this program.

### **ECONOMIC DEVELOPMENT FUND NOW KNOWN AS "NEBRASKA CITY GROWTH FUND"**

The City shall establish a separate economic development fund, the Nebraska City Growth Fund. All funds derived from local sources of revenue allocated or collected for the economic development program and any earnings from the investment of such funds and all repayments from program loans shall be deposited into the Nebraska City Growth Fund. Any proceeds from the issuance and sale of bonds to provide funds to carry out the economic development program shall also be deposited into the Nebraska City Growth Fund.

The City shall not transfer or remove funds from the Nebraska City Growth Fund other than for the purposes of this plan or, in the event of the program's termination, for property tax reduction. The money in the Nebraska City Growth Fund shall not be commingled with any other funds.

Any money in the Nebraska City Growth Fund not currently required or committed for the purposes of Economic Development shall be invested as provided Neb. Rev. Stat. §77-2341.

### **Revolving Loans**

A revolving loan program is established from which performance based loans will be made to qualifying businesses and activities on a match basis from the grantee and based on the goals of the element of the plan for which the loan was granted.

1. The amount of the funds available for any single project shall not exceed the amount of the funds available under the Economic Development Program during the project term, nor shall it provide

City Council may hold a closed session by the affirmative vote of a majority of its voting members if a closed session is clearly necessary for the protection of the public interest or for the prevention of needless injury to the reputation of an individual and if such individual has not requested a public meeting. The subject matter and the reason necessitating the closed session shall be identified in the motion to close.

## Nebraska City

more than fifty percent (50%) of the total project costs. An applicant must provide participation and evidence of participation through private funding as distinguished from equity investment. The right is reserved to negotiate the terms and conditions with each applicant and the terms and conditions may differ substantially from applicant to applicant.

2. The interest rate shall be negotiated on an individual basis. The term shall not exceed fifteen years for real estate and buildings and shall not exceed seven years for other authorized activities. Security for loans may include but is not limited to, Promissory Notes, a Deed of Trust, UCC Filings, and personal and/or corporate guarantees as appropriate and may be in a subordinate position to the primary lender.
3. If the loan is approved as performance based, a qualifying business may be approved to recapture on a grant basis, a portion of the loan amount to be determined by the City Council based on job creation, retention or economic development goals.
4. A loan repayment schedule providing for monthly, quarterly or annual payments will be approved in conjunction with project approval.
5. Repayments will be held in the Nebraska City Growth Fund for future projects as approved and will be invested according to State statute.
6. The Program Administrator or their designee shall keep records of each loan outstanding, program income and current investments of unexpended funds on a monthly basis. The Program Administrator or their designee shall also keep records on accounts and author reports that name the borrower, purpose of the loan, date the loan was made, amount of the loan, basic terms of the loan and payments made to date and the current balance. This information is to be presented to the City Council and Citizens Review Board at least once a year, but also anytime upon request.
7. The Program Administrator or their designee is responsible for auditing and verifying job creation, retention or economic development goals and determining grant credits toward any loans made. No grant credits are available unless pre-approved in the initial application and project approval and no grant credits are available beyond the level initially approved.
8. A loan will be considered in default if a payment is thirty (30) days in arrears. Action may be taken on any loan in default to protect the interests of the qualifying business, third parties and the municipality.

### **Auditing and Verification**

The City shall provide for an annual, outside, independent audit of its economic development program by a qualified private auditing business. The auditing business shall not, at the time of the audit or for any period during the term subject to the audit, have any contractual or business relationship with any qualifying business receiving funds or assistance under the economic development program or any financial institution directly involved with a qualifying business receiving funds or assistance under the economic development program. The results of such audit shall be filed with the City Clerk-Treasurer and made available for public review during normal business hours. Said audit can be performed as part of the City's annual financial audit of all its funds provided it includes auditing of the Nebraska City Growth Fund.

### **Application Process**

**City Council may hold a closed session by the affirmative vote of a majority of its voting members if a closed session is clearly necessary for the protection of the public interest or for the prevention of needless injury to the reputation of an individual and if such individual has not requested a public meeting. The subject matter and the reason necessitating the closed session shall be identified in the motion to close.**

## Nebraska City

Upon voter approval of the Economic Development Program, the Program Administrator shall develop a standardized application form for businesses seeking assistance from the Nebraska City Growth Fund. Application forms shall be available at City Hall.

As part of the application process, a qualifying business will be required to submit business and financial information necessary to determine economic viability of the proposed project. Unless waived by the Program Administrator, the material shall include, but is not limited to:

1. A completed Nebraska City Growth Fund Application Form;
2. A written business plan, including employment and financial projections, current financial statements, project financing arrangements, total project cost and all other relevant project information;
3. Projected economic benefits, such as but not limited to, job creation, increased economic activity both locally and through tourism resulting from the project
4. Current year-to-date profit and loss statements (signed);
5. Recent balance sheets (signed);
6. Three years of complete corporate/individual income tax returns; individual returns required for anyone owning more than 25% of the company (signed);
7. Personal financial statements for any person(s) owning more than 25% of the company;
8. Other information as necessary to determine the eligibility and economic viability of the proposed project.

Sealed applications shall be returned to City Hall for distribution to the Program Administrator. The Program Administrator will review applications in the order received. All reasonable methods may be used to verify application information, including credit checks, credit reports, record examination, oral and written applicant interviews and other investigative methods deemed necessary.

Following an initial review of a complete application and required materials for eligibility and compliance, the Program Administrator shall schedule a meeting of the Citizen Advisory Review Committee (within 10 business days from submission of the application) and shall also complete a final verification of the available materials.

The Citizen Advisory Review Committee (CARC) will meet and review the application from the qualifying business prior to making a final written recommendation to the City Council. The recommendation shall include the CARC's determination of whether the application is in compliance with the plan. Members of the CARC shall review the application based upon the economic feasibility of the project as well as the overall long-term economic impact to Nebraska City. Potential actions of the CARC include:

- Recommend approval of the application to the City Council
- Recommend denial of the application to the City Council
- Forward the application to the City Council with no recommendation
- Ask for additional information prior to making a recommendation to the City Council

Prior to forwarding the application to the City Council for approval, the CARC will negotiate the type(s) of assistance to be made available to the qualifying business, the appropriate level of funding assistance and the terms and conditions of any assistance. Said negotiation shall be conducted with input from the

**City Council may hold a closed session by the affirmative vote of a majority of its voting members if a closed session is clearly necessary for the protection of the public interest or for the prevention of needless injury to the reputation of an individual and if such individual has not requested a public meeting. The subject matter and the reason necessitating the closed session shall be identified in the motion to close.**

## Nebraska City

Program Administrator. The City Council will then consider the CARC's written recommendation including funding levels, terms and conditions. The City Council may then approve or deny the application, based upon the CARC's recommendation, or return the application to CARC for additional considerations.

The Program Administrator is responsible for verification of all information in the applications of those eligible businesses which receive a recommendation for financial assistance before recommendation is made to the City Council.

The Council will consider the overall benefits to the community and its related costs, and will provide the Program Administrator a decision. Once approved, the Program Administrator, in cooperation with the Nebraska City Attorney, will take the necessary legal and technical actions to execute the agreements made.

In the event of termination of the contractual relationship between the City and the Program Administrator, the above-described responsibilities will be carried out by another entity, by existing City staff or by an economic development specialist hired by the City.

### **ADMINISTRATION**

As described herein, three separate bodies share the administration and provide oversight of the community economic development program. They are:

- A. Program Administrator-Economic Development Board:
  - 1. The Executive Director of the Nebraska City Area Economic Development Corporation of Nebraska City, shall serve in this capacity;
  - 2. Responsible for the day-to-day administration of the program;
  - 3. Solicits potential applicants to the program;
  - 4. Assists potential applicants in completing the application and in collecting the necessary background materials;
  - 5. Prepares a recommendation to the CARC, including suggested funding assistance with corresponding terms and conditions;
  - 6. Makes an annual presentation to the City Council regarding the status of the Program as well as current and outstanding activities;
  - 7. Serves as an ex-officio member of the CARC;
  - 8. Tracks employment figures for participating businesses for two years if businesses employs persons in other Nebraska communities;
  - 9. Advises the City Attorney of any activities under the plan and provides any documentation or any other information needed to assure that all applicable laws and regulations are met by the municipality, participating businesses and any other activity related to the plan.
  
- B. Citizens Advisory Review Committee:
  - 1. A group of five (5) Nebraska City registered voters appointed by the Mayor, subject to City Council approval, who review the function and progress of the Economic Development Program/Nebraska City Growth Fund and also advise and make

**City Council may hold a closed session by the affirmative vote of a majority of its voting members if a closed session is clearly necessary for the protection of the public interest or for the prevention of needless injury to the reputation of an individual and if such individual has not requested a public meeting. The subject matter and the reason necessitating the closed session shall be identified in the motion to close.**

## Nebraska City

recommendations the City Council regarding applications made for funding within the Program.

2. Members of the Committees shall include:
  - a. the Program Administrator (ex-officio), who shall serve as committee chairperson, scheduling CARC meetings, keeping meeting minutes, complying with applicable state statutes;
  - b. a representative from the Nebraska City Area Economic Development Corporation Board of Directors who is otherwise eligible;
  - c. a representative with expertise or experience in the field of business finance or accounting;
  - d. three citizens at large with an interest in the continued growth and success of Nebraska City.
3. No member of this Committee shall be an elected or appointed City official, an employee of the City, a participant in a decision-making position regarding expenditures of program funds, or an official or an employee of any qualifying business receiving financial assistance under the Economic Development Program/Nebraska City Economic Growth Fund or any financial institution participating directly in the Economic Development Program.
4. Terms for appointees of the Citizen Advisory Review Committee shall be for four years except that initial terms shall be established on a staggered basis to provide continuity on the committee. Terms are renewable.
5. The Citizens Advisory Review Committee will meet regularly as required to review the program and a representative will report to the City Council at least once every six-month period on its findings and suggestions at a public hearing called for that purpose.

### C. City Council:

1. Will have final authority on expenditures of funds in support of the economic development program.
2. May contract with the Nebraska City Area Economic Development Corporation or other appropriate outside agency to provide a Program Administrator.
3. Will have ultimate responsibility for the economic development program.

The City Attorney will be responsible for keeping the City informed of relevant changes in the law that could affect the Economic Development Program and will review Agreements, Deeds, Leases, Deeds of Trust, Promissory Notes, security documents, personal and/or corporate guarantees and other documents relating to the Program as a whole.

### **Process to Insure Confidentiality of Business Information Received**

In the process of gathering information about a qualifying business, the Program Administrator (and his/her staff), the CARC and City staff and elected officials may receive information about the business that is confidential and if released could cause harm to the business or give unfair advantage to its competitors. State law authorizes cities and other public entities to maintain the confidentiality of business records, which come into their possession.

**City Council may hold a closed session by the affirmative vote of a majority of its voting members if a closed session is clearly necessary for the protection of the public interest or for the prevention of needless injury to the reputation of an individual and if such individual has not requested a public meeting. The subject matter and the reason necessitating the closed session shall be identified in the motion to close.**

## Nebraska City

To protect the businesses applying for funds and to encourage them to make full and frank disclosures of business information relevant to their application, the City may take the following steps to ensure the confidentiality of the information it receives:

- 1) The adoption of an ordinance, which makes such information confidential and punishes disclosure;
- 2) A restriction on the number of people with access to the files with the Program Administrator primarily responsible for their safe-keeping; and
- 3) A requirement that personnel involved in the program sign statements of confidentiality regarding all personal and private submittals by qualified businesses.

**City Council may hold a closed session by the affirmative vote of a majority of its voting members if a closed session is clearly necessary for the protection of the public interest or for the prevention of needless injury to the reputation of an individual and if such individual has not requested a public meeting. The subject matter and the reason necessitating the closed session shall be identified in the motion to close.**

# Nebraska City

## Appendix A

### Identification of Real Estate

Eligible activities may require the acquisition and restoration or demolition of buildings on certain properties, especially properties with buildings that are in an extremely deteriorated condition. It may also require consolidation of certain core business to a centralized location to build Nebraska City as a tourist, commerce, and leisure destination.

It is advisable that the following conditions be considered when deciding to pursue acquisition and restoration or demolition of a property:

- If the existing conditions are detrimental in some key way to the community and economics.
- Deterioration has occurred to the level where it would be more economically feasible for removal than repair.
- Purchased as part of a comprehensive redevelopment plan for future lease or sale to beneficial businesses.

Continued development will exhaust space in the available industrial park well before the end of the Program period. Therefore, the City and the Nebraska City Area Economic Development Corporation should provide for the acquisition of industrial and commercial real estate.

Eligible activities include the purchase directly or indirectly through the Nebraska City Area Economic Development Corporation (or its subsidiary corporation) of commercial or industrial site(s) and obtaining options for the purchase of such real estate. Land to be purchased or optioned may be within or outside the corporate limits of the City of Nebraska City and will be identified through local analysis by the City of Nebraska City and/or Industrial Site Evaluation teams organized by the City of Nebraska City or the administrator of the Economic Development Program. These identified sites may then be considered for option or purchase and further development. The sites may be purchased through and title held by the Nebraska City Economic Development Foundation for the purposes of future development.

It is advisable that these sites encompass the following minimum attributes but the same are not absolutely necessary if the purpose of the land is not affected by the omission of these guidelines:

- 1.) Contain at least five acres;
- 2.) Be properly zoned with no excessive easements, covenants, or other encumbrances;
- 3.) Be compliant with the City of Nebraska City's current Comprehensive Plan as amended;
- 4.) Have reasonable access to utilities such as gas, water, telecommunications and electricity;
- 5.) Have reasonable access to lines of transportation such as roads, highways and/or railroads depending on the intended use of the land.

The funds may also be used to construct facilities, structures, and/or appurtenances for new or proposed development or to attract new business or industry. These facilities, structures and appurtenances are not required to be within the corporate limits of Nebraska City, Nebraska.

**City Council may hold a closed session by the affirmative vote of a majority of its voting members if a closed session is clearly necessary for the protection of the public interest or for the prevention of needless injury to the reputation of an individual and if such individual has not requested a public meeting. The subject matter and the reason necessitating the closed session shall be identified in the motion to close.**

## Nebraska City

These sites and facilities will improve the attractiveness of Nebraska City, Nebraska, as a location for new business and industry and may be used as an incentive to aid in the location, relocation or expansion of a business. These sites and facilities may be sold or leased at a price at or below current market value. The proceeds from the sale or lease of land purchased and developed with the Nebraska City Growth Fund may be used for the purchase and development of additional land and may be used for all other eligible activities.

If any application of any provision of this Plan to any business, project or circumstance is found to be invalid, the remaining applications of that provision to all other businesses, projects or circumstances shall be severed and may not be affected. All valid applications of this Plan shall be severed from any applications found to be invalid, leaving the valid applications in force, because it is the intent and priority of the Plan that each portion is important standing alone.

**City Council may hold a closed session by the affirmative vote of a majority of its voting members if a closed session is clearly necessary for the protection of the public interest or for the prevention of needless injury to the reputation of an individual and if such individual has not requested a public meeting. The subject matter and the reason necessitating the closed session shall be identified in the motion to close.**

## Nebraska City

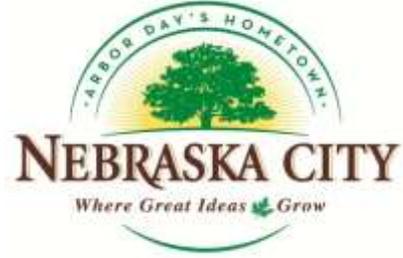
### Appendix B

#### Workforce Housing

This Nebraska City economic development program involves potentially making grants or loans for the construction or rehabilitation for sale or lease of housing as part of a workforce housing plan. The City incorporates herein by reference the City's most recent Housing Study, dated October 2013, as the same may be updated from time to time, and which contains an assessment of current housing stock in the city, including both single-family and market rate multi-family housing. The plan will not include housing for persons of low or moderate income under section [18-2710.01](#), since the City participates in multiple supporting programs addressing these needs in our community.

# CITY OF NEBRASKA CITY

1409 Central Avenue  
Nebraska City, NE 68410-2223  
Phone: 402-873-5515  
Fax: 402-873-5685



## Agenda Information Support Sheet

To: Mayor and Commissioners

Council Meeting: 7/18/16  
Agenda Item: # \_\_\_\_\_  
Submitted By: Randy Dunster

**A. Synopsis of Issue:**

- a. To authorize the Mayor to sign a letter of support for the regional effort called “Stronger Economies Together, Partners for Progress. The Open House for this project is scheduled for Monday July 18<sup>th</sup> at 5:00 PM and will be held at the Nebraska City Council Chambers.

**B. Options:**

- a. Approve or disapprove the Mayor to sign letter to show support of the program.

**C. Fiscal Note:**

- a.

**D. Recommendation:**

- a.
- b. *Recommended Motion:*
  - i.

**E. Background:**

- a.

\*\*\*\*\*

**Department Heads: Submit this form to Dave Partsch and Grayson Path by 5:00 pm of the day the Agenda meeting is held.**

Nebraska City

DRAFT letter of support

July 18, 2016

Southeast Nebraska Partners For Progress  
c/o Nebraska City Area Economic Development Corp.  
123 S. 8<sup>th</sup> Street, Suite #7  
Nebraska City, NE 68410

RE: Economic Development Plan Support

To Whom It May Concern:

Congratulations on the completion of the Southeast Nebraska Partners For Progress (P4P) Economic Development Plan. We have reviewed the plan and feel the economic goals and objectives provide a realistic framework to help address the identified needs of the region.

The P4P plan recognizes the importance of industrial manufacturing and energy to our region and seeks to grow these industries, along with our burgeoning Arts & Entertainment sector. Coupled with the workforce education and entrepreneurship goals, the plan provides a holistic approach for enhancing the region's economic base. We support the goals that will lead to increased career options, higher quality jobs and more entrepreneurial opportunities.

The City of Nebraska City supports the plan and will work with the Partnership to implement the goals of the plan. Thank you for considering us as your partner in moving this plan forward. We look forward to working with the P4P team.

Sincerely,

Bryan Bequette  
Mayor

# Southeast Nebraska Partners for Progress (P4P) Stronger Economies Together



P4  
P  
Re  
gio  
nal  
Go  
als

## Manufacturing/Industry

Create a diverse industrial, manufacturing hub in the 5-county region, utilizing a diversified workforce, to regionally sustain and grow

## Cultural Tourism

Through collaborations, create rich destination experiences that attract visitors and contribute to the quality of life for local citizens.

## Workforce Education

Through education and training, create a workforce pipeline that leads to enhanced employee recruitment, retention and

## Entrepreneurship

Develop an entrepreneurial culture for business creation and retention that sustains and grows our existing industries and businesses.



## P4P Vision

Realize our potential as an innovative and vibrant business and industry hub and a destination for cultural tourism, supported by an entrepreneurial spirit.

## Development Plan 2016-2021



## OPEN HOUSE

The Southeast Nebraska Partners for Progress group has been working on a regional 5-county economic development plan for the past year. We would like to share the plan with everyone and start working on implementing the plan. Your support is really needed.

**When: Monday, July 18<sup>th</sup> @ 5:00 p.m.**

**Where: Nebraska City Council Chambers**

We will be holding an open house to discuss the plan at 5:00 p.m. and then present the plan to the City Council at the 6:00 p.m. meeting. We would love to see you there!

Contact Dan Mauk with any questions (402) 209-4568.

# CITY OF NEBRASKA CITY

1409 Central Avenue  
Nebraska City, NE 68410-2223  
Phone: 402-873-5515  
Fax: 402-873-5685



## Agenda Information Support Sheet

To: Mayor and Commissioners

Council Meeting: August 1, 2016  
Agenda Item: #                       
Submitted By: Randy Dunster

**A. Synopsis of Issue:**

- a. Tree clean-up assessment for Michael McCormack at 917 3<sup>rd</sup> Corso Nebraska City, NE 68410 to the amount of \$1,106.47.

**B. Options:**

- a. Approve Resolution 2711-16 to file a lien on the property until the amount is paid.
- b. Disapprove Resolution 2711-16 and cover the amount from City funds.

**C. Fiscal Note:**

- a. Tree clean-up has been completed and the cost of the cleanup was \$1,100.00 plus the cost of postage \$6.47 for a total cost of \$1,106.47.

**D. Recommendation:**

- a. Approval of Resolution 2711-16
- b. *Recommended Motion:*
  - i. Approve Resolution 2711-16 to file a lien on the property of Michael McCormack at 917 3<sup>rd</sup> Corso Nebraska City, NE 68410 to the amount of \$1,106.47

**E. Background:**

- a. Tree removal and stump grinding was completed 4/12/16 and an invoice was mailed via certified mail on 4/12/16. No payment has been received to date.

\*\*\*\*\*

**Department Heads: Submit this form to Dave Partsch and Grayson Path by 5:00 pm of the day the Agenda meeting is held.**

Nebraska City

RESOLUTION 2711-16

BE IT RESOLVED BY THE MAYOR AND BOARD OF COMMISSIONERS OF THE CITY OF NEBRASKA CITY, NEBRASKA;

WHEREAS, Section 18-58, of the Code of Ordinances, Nebraska City, Nebraska provides that the City may have a lien upon real property for the mowing of weeds, grasses and worthless vegetation or clean up of litter, which under said Ordinance constitutes a nuisance; and,

WHEREAS, Notice to abate and remove such nuisance was given to each of the owner(s) and occupant(s) of the following described property(s) at least five (5) days prior to removal by the City of Nebraska City, Nebraska; and,

WHEREAS, The City of Nebraska City, Otoe County, Nebraska has mowed weeds, grasses, worthless vegetation or cleaned up the following described real estate, to-wit:

**917 3<sup>RD</sup> Corso Nebraska City, NE 68410 – W ½ Lot 4 & All Lot 5 Blk 8 South Nebraska City, Otoe County, Nebraska – 001802500 \$1,106.47.00**

After failure of the owner(s) to abate and remove the same from said real estate; and

WHEREAS, the City of Nebraska City, Otoe County, Nebraska has incurred the cost relative to the mowing of weeds, grasses and worthless vegetation or cleaned up said real estate in the amount s reflected above and,

WHEREAS, the City sent the property owners a bills for said cleanup which have not been paid, and

WHEREAS, the City may file Special Assessments for Improvements against properties for which City bills for services have not been paid, and

WHEREAS, Said Special Assessments shall draw interest at the rate provided by Section 45-104.1 of the Revised Statutes of Nebraska, from the effective date hereof.

NOW THEREFORE BE IT RESOLVED, that the City Clerk-Treasurer of Nebraska City is hereby authorized to file with the Otoe County Treasurer Special Assessments for Improvements in the amount(s) and against the property(s) specified above, all located within Nebraska City, Otoe County, Nebraska City, Nebraska.

Passed and approved this 1<sup>st</sup> day of August, 2016.

\_\_\_\_\_  
Bryan Bequette, Mayor

Attest: \_\_\_\_\_  
Randy Dunster, City Clerk - Treasurer